DOCUMENT RESUME

ED 459 272 UD 034 538

AUTHOR	Cahn, Claude, Ed.
TITLE	Rights of the Child.
INSTITUTION	European Roma Rights Center, Budapest, Hungary.
SPONS AGENCY	Ford Foundation, New York, NY.; Mott (C.S.) Foundation, Flint, MI.; J. M. Kaplan Fund, New York, NY.; Open Society Inst., New York, NY.; European Union, Brussels (Belgium).
ISSN	ISSN-1417-1503
PUB DATE	2000-10-00
NOTE	99p.; Also sponsored by Rockefeller Brothers Fund and the Ruben and Elisabeth Rausing Trust. Theme issue. Published quarterly.
AVAILABLE FROM	European Roma Rights Center, H-1525 Budapest, 114, P.O. Box 10/24, Hungary. Tel: 36-1-428-2351; Fax: 36-1-428-2356; e-mail: errc@errc.org;; Web site: http://www.errc.org.
PUB TYPE	Collected Works - Serials (022)
JOURNAL CIT	Roma Rights; n3 2000
EDRS PRICE	MF01/PC04 Plus Postage.
DESCRIPTORS	*Child Health; *Child Welfare; Childhood Needs; *Civil Liberties; Elementary Secondary Education; Equal Education; Foreign Countries; *Minority Groups; *Racial Discrimination
IDENTIFIERS	Europe (East Central); Gypsies; *Roma

ABSTRACT

This newsletter examines problems and rights of Romani children in East Central Europe, focusing on such topics as: the displaced childhoods of Romani children; snapshots of living conditions in various European countries; Roma child rights; Romani and non-Romani schools in Bulgaria; Romani children's rights to education in Central and Eastern Europe and in France; institutionalizing Romani children in Italy; testimony from a Romani mother in Hungary who had her children removed from her; human rights education (the United Nations 2001 special session on children); advocacy (the United Nations Race Discrimination Committee's thematic discussion on the Roma); attacks against Kosovo's Romani minorities; testing to prove racial discrimination in Hungary; grants and donors supporting human rights work; one Central European family's experiences; Romani language publications; guidelines for European Roma Rights Center grants; grants awarded; a chronicle of efforts to campaign for Roma rights; and conferences and meetings. (SM)

Reproductions supplied by EDRS are the best that can be made
from the original document.

ROMA RIGHTS

NEWSLETTER OF THE EUROPEAN ROMA RIGHTS CENTER

ED 459 272

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)
☑ This document has been reproduced as received from the person or organization originating it.
☐ Minor changes have been made to improve reproduction quality.

• Points of view or opinions stated in this document do not necessarily represent official OERI position or policy.

PERMISSION TO REPRODUCE AND DISSEMINATE THIS MATERIAL HAS BEEN GRANTED BY

C. Cahn
European Roma Rights Center

TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

NUMBER 3, 2000

Rights of the child

Abuses by schools and other institutions
Opportunities for advocates
Romani language version of the Convention

BEST COPY AVAILABLE

UD034538

CONTENTS

ROMA RIGHTS ■ NUMBER 3, 2000

EDITORIAL
4 **Displaced childhoods** *Dimitrina Petrova*

SNAPSHOTS FROM AROUND EUROPE
5 Bosnia and Herzegovina ■ Bulgaria ■ Czech Republic ■ France ■ Germany ■ Greece ■ Hungary ■ Italy ■ Kosovo ■ Poland ■ Romania ■ Slovakia ■ Slovenia ■ United Kingdom ■ Yugoslavia

NOTEBOOK
30 **Roma Rights of the Child**
31 **Realising the child's right to participate** *Federica Donati, Michelle Lloyd and David Simpson*
38 **Parallel worlds: Romani and non-Romani schools in Bulgaria** *Jennifer Tanaka*
44 **Framework for a program for equal integration of Roma in Bulgarian society** *Council of Ministers of the Bulgarian Government*
46 **Romani children and the right to education in Central and Eastern Europe** *Angéla Kóczé*
50 **Roma and Sinti voices on the right to education in France** *Daniella Mercier*
52 **Stealing children: institutionalising Romani children in Italy** *Kathryn D. Carlisle*

TESTIMONY
57 **"I cannot begin to tell you how I felt": the testimony of a Romani mother whose children were removed from her care in Hungary**

HUMAN RIGHTS EDUCATION
59 **UN special session on children: September 2001** *Marty Rajandran*

ADVOCACY
60 **UN Race Discrimination Committee holds thematic discussion and issues general recommendation on Roma** *Veronika Leila Szente*

FIELD REPORT
65 **Unprotected: attacks continue against Kosovo's Romani minorities** *Emily Shaw*

LEGAL DEFENCE
69 **Testing to prove racial discrimination: methodology and application in Hungary** *Fitsum Alemu*

DATABASE
76 **Grants & donors**

MEET THE ERRC
81 **My Central European family** *Éva Orsós*

ROMANI LANGUAGE PUBLICATIONS
83 **Konvencija pala e čhavrikane čačipena: Convention on the Rights of the Child**

95 **Grant guidelines**
96 **Informacia andal stipendia (Grant guidelines in Romani)**
97 **Grants awarded**
98 **Chronicle**

Roma Rights is published quarterly in Budapest, Hungary, by the *European Roma Rights Center.*

Editor-in-chief: **Dimitrina Petrova**
Editor: **Claude Cahn**
Snapshots co-ordinator: **Hannah Slavik**
Layout and graphic design: **István Fenyvesi**

© October 2000 *European Roma Rights Center* ISSN 1417-1503. The opinions expressed in authored pieces are not necessarily those of the *European Roma Rights Center.* The contents of this newsletter are free from all copyright restrictions on condition that the source is mentioned and reproduction is not for commercial purposes. The *ERRC* requests that three copies of the reproduced text be sent to the editor.

Cover: **Romani boy on the garbage dump near the Pata-Rât settlement outside Cluj, Romania.** PHOTO: GÁBOR SARUDI

Editorial

Displaced childhoods

By Dimitrina Petrova

THE classical human rights doctrine posits that every human being, born free and equal in dignity and rights, endowed with a free will, is capacitated to make free choices. The free will is a transparent, self-reflective agency, expressing the individual's interest. The individual subject, a bearer of rights, is in principle an indivisible and autonomous entity, interacting only with other, equally free subjects of rights. Thus, the classical human rights paradigm leaves out of consideration the whole process of "becoming" a conscious bearer of rights. Its point of departure is the terminal point at which the process of achieving rights capacity is already accomplished. As to women, children, and the various categories of incompetent persons, their "personhood" is deemed incomplete, their rights and capacity to choose rationally – restricted. They are in need of custody – by fathers, husbands, parents, guardians, doctors, and other mature subjects.

Two centuries later, "Women's Rights are Human Rights". Humankind has covered the full distance – though only intellectually – to the idea that women are equal with men in their dignity and their rights. No analogy with children's rights, however, is easy to defend. Children's freedom to choose rationally is arguably limited and most people would want to see children's rights restricted, so as to reflect their immaturity. Parents across cultures strive to create a maximum of good life choices for their children, and respecting the children's unique personality and dignity, want to ensure and enhance the freedom of children to choose. In a society governed by Liberty as a fundamental value, this assumption is (becoming) the source of parenting strategies. However, parents want also to interfere with the choices of their children. At least, they want to exclude certain options, such as crime, drugs, or membership in violent groups. More generally, they want to help shape the range of options by influencing children's values. The tension between these two assumptions and the lack of self-evident ways of resolving it within the classical liberal paradigm turns the entire issue of children's human rights into one of the most challenging, highly significant areas of development of the human rights theory and movement.

In addition to the generally controversial nature of children's rights, even more complicated issues arise with respect to children who are members of discriminated minorities, including Roma. In the case of such children, the privilege (or duty) to act in the so-called "best interest of the child" is claimed not only by parents, but – to a degree much higher than with majority children – by the state. This is so because Romani adults are degraded in the public imagination and perceived as inferior people, and therefore as inferior parents. With majority children, the state steps into the role of guardian of their best interest only in exceptional circumstances – e.g. in parents' disputes in the context of divorce. But strangers acting on behalf of the state decide the destiny of children from disadvantaged ethnic groups far more frequently. For a variety of reasons, Romani children are often removed from their families and placed in "institutions": children's homes, special schools, boarding schools, orphanages, etc.

A glance at the plentiful public institutions for children in Europe reveals high numbers of Romani children living out defeated childhoods, branded as juvenile delinquents, mentally deficient, socially weak, developmentally handicapped, behaviourally problematic, with learning disability, retarded, etc. Acting allegedly in the best interest of the child, every year various authorities take hundreds of Romani children across Europe away from their natural families, and place them inside a huge and hardly visible labyrinth of "institutions", where their chances to develop their potential are perhaps destroyed. The children in such social "homes" are rarely orphans. In many cases, they are taken away – more or less manipulatively, and sometimes against parents' will – from Roma who are caught in the "vicious circle" of illiteracy, unemployment, extreme poverty, crime, drugs, alcoholism, prostitution, disease, illiteracy, unemployment. Few Romani mothers and fathers have ever been asked about the circumstances in which they lost their children to the state. Absent from the public debate are the voices of the institutionalised children. Few lawyers or other activists have set foot yet in one of the hundreds orphanages, foster homes, hostels, boarding houses, etc. In a few cases, happy adoptions have perhaps been arranged, doing justice to all. But for the rest, there are many unanswered questions. It is time for the public to be concerned about the Romani children, streamed to "institutions" by the multiple pathways of European racism.

Among the earliest childhood memories of many Europeans is this: mother and father were telling us that if we were not good children, the old Gypsy would come to take us away. Why were they lying?! They had got the story wrong! The opposite is true, mother. It is not that the Gypsies steal children; it is that Gypsy children are stolen and put away inside some blurry, chilling bad dream that has lasted ever since.

BEST COPY AVAILABLE

• Romani youth shot and killed by police officers in Bulgaria • Romani woman in Slovakia dies after beating • UN and Council of Europe express concern about Roma Rights in Slovakia • Continued attacks against Roma in Kosovo • Kosovo Romani refugees • Police violence against Roma in Yugoslavia • Roma attacked in Czech Republic • Authorities destroy Romani housing in Italy • Roma expelled from Italy beaten, unable to return to homes in Bosnia-Herzegovina • Fire bomb attack on Romani house in Czech Republic • Romani woman attacked in Poland • Greek authorities evict Roma • Racist Hungarian textbook removed from curriculum • Skinhead violence against Roma in Yugoslavia • Abusive police raids on Romani communities in Greece • Leading Hungarian politicians deny Romani problems • Traditional British Romani horse fair threatened • More disturbing events in Slovak police custody • French mayors protest Romani gathering • Threatened evictions of Roma in Hungary • Prosecuting racist criminals in the Czech Republic • Bulgarian Roma denied legal remedy for human rights abuse • Hate speech and literature in Italy • New leadership of the International Romani Union • Roma barred from sports centre pool in Yugoslavia • Discrimination against Roma by Romania's Ministry of Labour • United Nations Committee on the Elimination of All Forms of Racial Discrimination and the Committee against Torture express concern about Roma Rights in Slovenia

• Romani youth shot and killed by police officers in Bulgaria

Police brutality, especially abusive use of firearms, against Roma in Bulgaria continues, often resulting in severe injuries or even deaths of Roma. On July 5, 2000, according to reports from *Romani Bah*, a Sofia-based non-governmental organisation, police officers from the 3rd District Police Department of Sofia allegedly shot and killed Mr Traicho Lyubomirov, a nineteen-year-old Romani man from the Fakulteta neighborhood of Sofia. Mr Lyubomirov died of a bullet wound in the back of the head. According to witnesses, Mr Lyubomirov was detained by police at about 1:40 AM on July 5, while in the home of his relatives in Fakulteta. They told *Romani Bah* that Mr Lyubomirov had arrived at their house at about 1:00 AM on July 5. At about 1:40 AM, a police car stopped in front of the house and two police officers entered the house. They made Mr Lyubomirov put on a shirt and then they handcuffed him. They took him to their car and drove away. Mr Lyubomirov's mother told *Romani Bah* that at about 11:00 AM on the same day, two police officers in uniform came to her house and ordered her to bring her passport and to follow them. She was taken to the morgue and asked to identify her son. When she saw his body she fainted. When she recovered, she found herself in a police car on the way back to the Fakulteta neighbourhood.

According to the police, Mr Lyubomirov was shot accidentally. Police officers from the 3rd Police Department of Sofia reportedly had orders to arrest Mr Lyubomirov on suspicion of theft. According to the police version of events, Mr Lyubomirov attempted to run away, and when one of the police officers caught up with him, he resisted and tried to grab the officer's gun. There was a scuffle between the policeman and Mr Lyubomirov, and a shot was fired. The bullet struck Mr Lyubomirov in the back of the head and killed him. Immediately after the incident, the Sofia Military Prosecutor's Office reportedly opened an investigation into the case, but the status of the investigation was not known to the *ERRC* as of October 10.

In another case, on May 10, 2000, in Sliven, Atanas Djambazov, a fourteen-year-old Romani boy, was shot in the head and hand by a police officer. According to *Human Rights Project*, a Sofia-based non-governmental organisation, at around 8:30 PM on May 10, Atanas and two other Romani boys from Sliven allegedly entered the yard of a local wine factory to steal wooden pallets. When the boys saw a policeman approaching, they ran away. The police officer shot at Atanas as he was attempting to climb the factory fence. The use of firearms by police officers other than in self-defence or the defence of others contravenes UN regulations on the use of firearms. The bullet hit him in the left cheek, broke his jaw and several teeth, and exited through the right cheek. Atanas fell down from the fence, and when he attempted to get up and climb the fence again, the police officer fired a

second shot, hitting him on the right hand. According to the allegations of Atanas, the police officer then left the scene of the shooting, leaving him without assistance. Atanas was taken to his family by the other two boys and later brought to a local hospital. The Military Prosecutor's Office of Sliven opened a criminal investigation into the case on May 11, 2000. The criminal investigation was conducted pursuant to Article 133 of the Bulgarian Penal Code (unintentional infliction of moderate bodily injury). In the course of the proceedings, the Military Prosecutor established that the collected evidence did not suggest criminal liability and consequently sought administrative liability pursuant to Article 78(a) of Bulgarian Penal Code. At a hearing held on August 17, 2000, the Military Court reviewed the decision of the Military Prosecutor and upheld it. Under Article 78(a), Atanas will not be compensated for the injuries he had sustained as a result of the shooting.

In an unrelated case, according to reports by *Amnesty International*, on April 29, 2000, Tsvetalin Perov, a sixteen-year-old Romani boy, suffered third degree burns to fifteen per cent of his body while in police detention in Vidin. Tsvetalin is epileptic and has learning difficulties. He had allegedly been ill-treated by police officers on several occasions previously. On this occasion, the police reportedly claimed that Tsvetalin set fire to himself. However, according to *Amnesty International*, there are inconsistencies in the police account and crucial material evidence has vanished. Tsvetalin alleges that a police officer beat him unconscious and that he regained consciousness due to the pain of being on fire. According to *Amnesty International*, the reported difficulty in extinguishing the fire and the severity of the burns make it probable that a fire accelerant such as lighter fuel was poured on Tsvetalin beforehand. The *ERRC*'s 1997 Country Report *Profession: Prisoner: Roma in Detention in Bulgaria* documented numerous abuses of Roma in custody in Bulgaria. The full text of the report is available on the *ERRC* website at **http://errc.org**. (*Amnesty International, Human Rights Project, Romani Bah*)

• Romani woman in Slovakia dies after beating

According to Slovak and international media sources, on the night of August 20, 2000, three unknown intruders entered the house of the Baláž family, a Romani family living in the northern Slovak town of Žilina, and beat Mrs Anastazia Balážová and her daughters with baseball bats. The aggressors reportedly shouted racial insults during the attack. Mrs Balážová, a fifty-year-old mother of eight children, died in the hospital three days later, on August 23, of cerebral hemorrhage caused by blows to the head. Two of the children were also treated for injuries. According to Slovak *Radio Twist*, on September 21 police detained three suspects, but on the morning of September 22 released one of them, for lack of evidence. The remaining two men, Mr Marian Z., a 23-year-old man from Žilina, and Mr Petar Ch., a 19-year-old man from Rajec, have been charged with violations including racially motivated assault with the intent to cause bodily harm.

The brutal attack provoked shock and outrage locally and internationally, among the public and at the governmental level. Slovak Prime Minister Mikuláš Dzurinda issued a statement deploring the violent act and promising to ensure "that this criminal act is investigated as soon as possible and the citizens of Slovakia are informed about the motives that induced it." Slovak Minister of Foreign Affairs Eduard Kukan, Deputy Foreign Minister Ján Figel, Deputy Prime Minister Pál Csáky and Slovak Ambassador in Washington D.C., Mr Martin Bútora, all issued statements condemning the attack, and other manifestations of racial discrimination and violence in Slovakia. On August 24, 2000, the Slovak parliament observed a minute of silence in memory of Mrs Balážová. On the international level, Christopher H. Smith, US Republican congressman and Chairman of the Helsinki Commission of the US Congress, condemned the murder, saying "This murder proves that much remains to be done in the fight against injustice towards Romanies." He called for governments to realise their responsibility to protect their Romani citizens. US Ambassador to the OSCE, Mr David T. Johnson, and Secretary General of the OSCE, Mr Jan Kubis, also issued statements condemning the attack. On August 30, the *Romani Children and Youth Association* of Žilina organised a demonstration in Žilina to protest racism against Roma. The protest was attended by approximately 300 people, including several members of parliament, and proceeded peacefully, despite the presence of skinheads.

In another case, on August 28, 2000, Mr Ján Šuman, a Romani man, was reportedly shot and injured in his right-hand by a pellet gun while doing clean-up work as part of a public work scheme for the long-term unemployed in Prievidza, according to *TASR*. The case, which was being investigated by police for racial motive as of August 30, may, according to the Prievidza-based non-governmental organisation *Romani Self-Government* Chairman Marek

Seven-year-old Radu Baláž (left), fifty-two-year-old Mr František Baláž and eight-year-old Magda Balážová — the husband and the children of the victim — at the funeral of killing victim Anastazia Balážová, August 25, 2000, in Lietavská Lúčka, Slovakia.
PHOTO: JULIE DENESHA

Baláž, have been carried out by a skinhead supporter living in the vicinity, who has allegedly shot at Roma in the past. The fifty Roma participating in the work scheme, organised by the local Romani self-government, have reportedly been attacked by skinheads in the past. (*Associated Press, Central Europe Online, Nový čas, Radio Free Europe, Slovak Helsinki Committee, Slovak Spectator, SME, TASR*)

• UN and Council of Europe express concern about Roma Rights in Slovakia

Recently United Nations and Council of Europe bodies monitoring racism and intolerance issued reports expressing concern about the situation of Roma in Slovakia on several counts: violence against the Romani community and allegations of poor response by police and prosecutors, segregation and discrimination in housing and schooling, and discrimination in employment and health care. The 57th session of the UN Committee on the Elimination of Racial Discrimination (CERD), held in August 2000, reported concern at the "persistence of acts of violence by groups, particularly skinheads, directed towards Roma and other ethnic minorities; and about allegations that the police and prosecutors had failed to investigate acts of racially-motivated violence promptly and effectively, and had been reluctant to identify racial motive behind attacks." The report stated that the number of charges and convictions were "low relative to the number of incidents reported; and that perpetrators of racial crime were often lightly punished." The Committee recommended that the Slovak government strengthen procedures for timely and thorough investigations and effective prosecutions against racist organisations, and that clear guidelines and instructions be developed to assist police and prosecuting authorities in identifying racially-motivated crimes.

The CERD also expressed concern that a disproportionately large number of Romani children were not enrolled in schools, had high drop out rates, did not complete higher education or were segregated and placed in schools for mentally disabled children. The Committee criticised segregation in settlement patterns, and particularly "the fact that two municipalities had issued decrees banning Roma from their territory and the duration of proceedings to lift them." Concern was expressed about the absence of legislation expressly prohibiting discrimination in employment, and the disproportionately large number of Roma suffering high mortality rates, poor nutrition levels, and low awareness of mater-

BEST COPY AVAILABLE

Romani man being detained by police officers in Hermanovce settlement, eastern Slovakia, 1998.
PHOTO: ANDREA BAŠLOVÁ

nal and child health. Moreover, the Committee was concerned about poor access to clean drinking water, adequate sanitation, and high exposure to environmental pollution in Romani settlements. Among its recommendations, the Committee urged Slovakia to review legislation regulating local residence permits, to investigate promptly and thoroughly incidents of discrimination in access to housing, and to take all necessary measures to ensure that Roma enjoyed the full right to health and health care.

On June 27, 2000, the Council of Europe's European Commission against Racism and Intolerance (ECRI) released a report detailing problems faced by the Romani community in Slovakia. The report stated that a "pressing problem in Slovakia is posed by racial violence and harassment, often perpetrated by skinheads against members of the Roma/Gypsy community [...] More alarming still is the apparent lack of police response to such incidents: in fact, several cases of reported violence against members of the Roma/Gypsy community have allegedly been carried out by police officers themselves." The ECRI report noted that police are reported to participate in raids and searches in Romani settlements, often without the appropriate legal authorisation, and to use violence in conducting such searches. The report stresses that immediate steps should be taken to investigate all alleged abuses and punish offenders. The report stated that "problems of implementation of the legislation in force are evident at all stages in the criminal justice system." For example, police are reportedly reluctant to record crimes as racially-motivated and unwilling to record the testimony of witnesses to skinhead attacks on Roma. Medical doctors are sometimes reluctant to describe accurately injuries sustained by Romani victims, while some lawyers are reportedly reluctant to represent Roma, for fear this would have a negative effect on their practice. ECRI also noted that signs of racism and intolerance are present in Slovak society and that certain political parties use openly racist discourse, and certain media continue to contribute towards prejudices and stereotypes as regards the Romani community.

ECRI reports that discrimination against Roma in the field of employment remains widespread. The unemployment rate in Romani communities ranges from 80 to 100 percent, compared to the national unemployment rate of 4 to 36 percent, depending on the region. ECRI suggests efforts to remedy this situation, including effective implementation of relevant legislative provisions against discrimination in employment, and increased access for

Roma to education and specific training programs to qualify them for entry in various areas of employment. The report also expressed concern over discrimination in the area of housing. Ghetto-like Romani settlements, with poor living, health and safety standards, exist and are growing on the outskirts of some cities and towns.

ECRI's report stressed the crucial nature of overcoming discrimination in the field of education, "given the need to ensure that Roma/Gypsies can compete in terms of qualifications and skills with the majority population, and given the importance of empowering the Roma/Gypsy population to play an active role in determining its own future and to participate as an integral part of Slovak society." Of particular concern is the over-representation of Romani children in "special schools" for children with mental disabilities. Once placed in such schools it is almost impossible for Romani children to later integrate into mainstream schooling. The report noted with concern that Romani parents may not always be fully informed or involved in decisions involving their children. ECRI urged Slovak authorities to examine the placement of Romani pupils in special schools, and to ensure that testing procedures for entry into such schools are fair and fully evaluate the true capacities of each child. ECRI also stresses the importance of educational initiatives targeted at adult members of the Romani population and specially designed with their needs in mind. In conclusion, the ECRI report pointed out the "need to adopt a range of measures to combat discrimination and racism against the Roma/Gypsy community in all fields of life, and to empower this community to participate as an equal member of society; and the need to raise awareness among public servants and among the general public of the problems of racism and discrimination which exist in Slovakia." CERD additionally reviewed the Czech Republic, Finland and Slovenia during its August session. Information on CERD conclusions concerning the Czech Republic and Slovenia appear in other "snapshots" in this issue. Information on a recent ECRI report on Greece appears on pp.18-21. (*CERD, ECRI*)

• Continued attacks against Roma in Kosovo

Attacks against Roma in Kosovo continue. Several explosions in July and August took the lives of three Roma, caused the destruction of Romani houses and injuries to several individuals. On August 7, 2000, two houses belonging to Roma from the village of Gorna Brnjica, in the Gnjilane region, were reportedly set on fire by Albanians from the same village. According to *Agency Serbia Info*, the fire spread to the neighbouring forest and destroyed about six hectares of it.

On August 2, 2000, at around 9:30 PM, three Roma were killed and one injured by an explosion outside their home in the village of Mali Alas, fifteen kilometres south of Priština. Mali Alas is an ethnically mixed village where currently 450 Albanians and 250 Roma live. Reports conflict as to details, but according to Yugoslav daily *Blic*, two Finnish peacekeepers found the unexploded mortar bomb tied to a fence, while they were extinguishing a fire on the house of the Romani Salihu family. The patrol cleared people out of the area, but three members of the Salihu family – a father, son and nephew – who went to help put out the fire, were walking in the direction of the patrol when the improvised device exploded. Two of the victims died instantly, and the third died soon after despite being attended to by a KFOR doctor. A second son was slightly injured by the blast. Relatives of the victims reportedly blamed local Albanians, stating that it was not the first time their family had been targeted.

On July 8, a Romani man from Stimlje, in the Priština region, reported to the KFOR that a hand grenade had been thrown at his house. According to the KFOR patrol which was sent to investigate, shrapnel holes were discovered in the walls of his house.

In the early hours of July 8, 2000, according to *Reuters* news agency, four grenades were fired in the direction of a Romani village of approximately 150 people in the northern part of Kosovska Mitrovica. The grenades fell through the roof of a house. The explosion seriously injured an eight-year-old Romani boy in the abdomen and back; he required surgery. Two other persons, a ten-year old boy and a twenty-year old man, suffered minor injuries.

On July 3, 2000, according to the Priština-based non-governmental organisation *Council for the Defence of Human Rights and Freedoms* a powerful explosion totally destroyed an unoccupied house owned by a Romani man in the village of Kabash, in the Gnjilane region.

On August 22, 2000, Belgrade media sources reported the discovery of a mass grave containing 160 bodies, including those of missing Serbs and Roma, in the Dragodan district of Priština. Family members of missing Serbs and Roma say they were asked by UNMIK to identify bodies. *Blic* referred to a Romani woman, Ms Vesna Mulici, who identified the body

Destroyed Romani house, Gnjilane, Kosovo, July 2000.
PHOTO: HABUDA SAITAMA

of her husband. *Blic* also reported that the bodies were presumed to be those of victims of attacks by ethnic Albanians over the past year. On the subject of the Dragodan mass grave, the *Humanitarian Law Center*, a Belgrade-based non-governmental organisation, was informed by the OSCE Coordinator for Missing Persons that the remains of 176 bodies were exhumed by a British team of forensic experts and UNMIK police collecting evidence of war crimes, and that the exhumations were completed in late July 2000. The majority of the bodies were buried in individual graves before and during the war by the Priština city mortuary company attached to the Priština hospital. A few bodies had been buried after June 1999. According to the OSCE, the bodies were places in unmarked graves either because they lacked identification, or because families were unable to collect them. So far 44 bodies have been identified as those of Kosovar Albanians, and there are indications that five bodies may be the remains of Serbs. In an effort to assist families with the identification of the remains, the OSCE held an exhibit of clothing and other artefacts recovered from the graves. In addition, they are preparing a catalogue of photographs of the clothing and artefacts in order to make the information available to families of missing Serbs, Roma, and other non-Albanians, particularly those displaced in Serbia and Montenegro. Roma in Kosovo have fallen victim to a massive wave of violence at the hands of ethnic Albanians after the end of the NATO bombing in June 1999, but also suffered human rights abuses in the province committed by Albanians and Serbs throughout the 1990s. On abuses of Roma in Kosovo, see also "Field report" in this issue of *Roma Rights*. Past *ERRC* publications on Kosovo are available on the *ERRC* website at: **http://errc.org/indices/kosovo.shtml** (*Agency Serbia Info, Blic, Council for the Defence of Human Rights and Freedoms, Humanitarian Law Center, Reuters*)

• Kosovo Romani refugees

On August 16, 2000, *Swedish Radio* reported that on the previous night, August 15, 2000, police in Gothenburg, on the west coast of Sweden, discovered twenty-six Kosovo Romani refugees, including twelve children. The police said that they probably entered the country by hiding in a container. According to *Swedish Radio*, they were seeking asylum in Sweden, and were taken to a refugee institution while their cases were examined.

The Office of the United Nations High Commissioner for Refugees (UNHCR) has

expressed concern over deportations from Germany of members of Kosovo's ethnic Romani minority. On August 3, 2000, German authorities deported a Romani family to Kosovo despite ongoing violence against minority communities in the province. The family of three, deported from the German province of Lower Saxony, told the UNHCR upon arrival at Priština airport that they feared for their safety in Kosovo. The family arrived in Kosovo the day after a mortar bomb in Mali Alas, close to Priština, killed three Roma (see "Snapshots from Around Europe," *Roma Rights*, this issue). The family, who said they had lived in Germany since 1992 and had nowhere to go in Kosovo, was temporarily accommodated in a UNHCR transit centre in Priština.

Serbia and Montenegro

According to the Yugoslav daily *Danas* of August 14, several families of Romani refugees from Priština and Peć settled in abandoned barracks near Slavije, a square in the centre of Belgrade. They were not registered and did not receive humanitarian assistance. *Danas* reported that the families sold waste paper and scrap iron in order to make a living.

In mid-August, the UNHCR organised a third "go-and-see visit" to Kosovo for Romani refugees in Montenegro. UNHCR Podgorica escorted five heads of families to their home villages in Peć/Peje.

As of August 8, 2000, food supplies were reportedly running short in the Komik II refugee camp near Montenegro's capital Podgorica. Each person was allowed 12 kg flour, 1 kg beans, 1 kg sugar, 0,2 kg salt, spaghetti and macaroni for one month. There was a shortage of fresh vegetables and milk. According to the camp's manager, Mr Ross Piper, the food supply situation was approaching a critical point. According to a July 2000 publication by the United Nations High Commissioner for Refugees, there are 40,000-50,000 displaced Roma from Kosovo in Serbia and Montenegro.

Macedonia

On August 22, 2000, a Romani family of thirteen was repatriated from a refugee camp in Šuto Orizari, a municipality of Skopje, Macedonia, to Kosovo Polje. According to the UNHCR, about eighty Roma have been returned to Kosovo after an agreement was reached with the Kosovo Albanian leaders over the Platform of Action for Roma, Egyptians and Ashkalija, in April 2000.

On August 14, 2000, Romani refugees from Kosovo, living in a camp in the Šuto Orizari municipality of Skopje, protested against food shortages and poor living conditions in the camp. According to the protesters, the food supplies sent by the UNHCR twice a month were not enough for their families. UNHCR spokesperson Mr Momirovski challenged these allegations, saying that the refugees "receive what they need." Representatives of the World Food Organisation promised to discuss the situation with Romani refugees in the Šuto Orizari camp and to seek a solution to the problems in the camp. (*Danas, Dnevnik, ERRC, Patrin, Society for Threatened Peoples, Swedish Radio, UNHCR*)

• Police violence against Roma in Yugoslavia

On August 3, 2000, and again on August 7, 2000, Mr Saša Mustafić, a nineteen-year-old Romani man, was allegedly apprehended by the police, interrogated for theft and severely beaten in police custody in Belgrade. On the second occasion, the police allegedly also detained, interrogated and threatened his wife, Ms Demira Gezvira, a 29-year-old Romani woman who was pregnant at the time. According to interviews carried out by the *ERRC*, on August 3, 2000, around noon, Mr Mustafić was approached by four policemen in plain clothes, in Ljeska Street in Belgrade, where he lives. Mr Mustafić reported that without explanation, the policemen started to beat him, punching him in the back, kicking him in the ribs and slapping his face. Then they handcuffed him and drove him to the Cukarica precinct police station. At the station, Mr Mustafić was first put into a cell, and then taken to a room where the same four policemen accused him of breaking into an apartment and stealing some items. He denied knowledge of this robbery, and the policemen allegedly began to punch him in the ribs and belly and to insult his ethnic origin. They then questioned him about a handbag containing money and documents which had been stolen from a tobacconist shop near his home. When he denied knowledge of this theft, they allegedly accused him of lying, continued to insult him, and beat him with a stick on the arms, lower back and head. Then one of the police officers allegedly threatened to circumcise him and grabbed a pair of pliers and a knife. At that point, the phone rang and that officer left the room. The other officers continued to beat him, and then left him in a cell for about half an hour. Then Mr Mustafić was taken back to the interrogation room where, he stated, the same four officers and an additional ten officers continued to question him about the handbag, and to punch him in the stomach, ribs, back, and head. After about ten minutes of beating they returned him to the cell, and after about an

hour, at around 5:00 PM, the officers released him, saying that probably his wife had stolen the bag. Ms Gevzira, Mr Mustafić's wife, told the *ERRC* that upon his return from the police station, Mr Mustafić had contusions on his back, his left arm was swollen, and he had a wound on the back of his head. He was unable to eat for two days. Mr Mustafić did not go to a doctor, fearing he would be taken to the police station again.

Mr Mustafić and his wife told the *ERRC* that on August 7, at about 8:00 AM, two police officers in plain clothes came to their house. The officers first told Mr Mustafić not to put on his shoes, but to come with them barefoot. Then they changed their minds, and told him to stay at home while they took his wife to the station, saying that they would interrogate her. Approximately half an hour later the two police officers came and took Mr Mustafić to the station as well. At the police station, Mr Mustafić and Ms Gezvira were questioned by officers in separate rooms, and each was asked where they had obtained 20 German marks confiscated during their arrest. Both replied that they had earned the money selling old items at a flea market. The same four police officers from the previous occasion interrogated and beat Mr Mustafić, and then put him into a cell for an hour. Ms Gezvira told the *ERRC* that at the station she was questioned by four police officers in plain clothes about the missing handbag. When she denied knowledge of the handbag, they told her she was lying and threatened to send her to the county jail. The police yelled at her, allegedly threatened to beat her until she lost her baby, and also made lewd sexual suggestions. The policemen also told Ms Gezvira that they would beat her husband in front of her. They then put her into a cell for about half an hour. The officers next brought Ms Gezvira to the room where her husband was, asked both of them once again about the handbag, and then returned their documents and released them, at around 2:00 PM. Mr Gezvira told the *ERRC* that when they left the police station she observed new bruises on her husband's back and swellings on his head.

Several days later, Ms Gevzira saw one of the police officers who had interrogated her, in Ljeska Street. She asked if they had found the thief, and he replied that they had. She asked why they had treated her and her husband so badly, and the officer allegedly laughed and told her to go home. Ms Gezvira went to the Cukarica precinct police station and complained to the chief inspector, who apologised and told her that he would punish the officers responsible. As of October 9, 2000, the *ERRC* intended to file a complaint against the police officers on behalf of Mr Mustafić. (*ERRC, Humanitarian Law Center*)

• Roma attacked in Czech Republic

On July 27, 2000, around 3:00 PM, a group of men reportedly attacked nine Roma, mainly women and children, at the OMV petrol station at Houžna, two miles from the southwest Czech town of Vimperk. According to the Roma, the men pulled up in three cars with Ostrava licence plates, jumped out and began to threaten them with baseball bats and power saws. Ms G., one of the victims, told the *ERRC* on July 31, 2000, that there had been fifteen attackers, and they shouted racist slogans like "black whores" and "go back to India", and threatened to kill them. Ms G. says that she was thrown into a ditch and one of the attackers shot into the ditch. She saw two men with pistols. The attackers drove her brother-in-law across the road, cut him with a power saw, and stole 12,000 Czech crowns (approximately 340 euros) and his mobile phone. The attackers reportedly almost completely destroyed the car of one of the victims with baseball bats, axes and their feet.

A local policeman arrived quickly and managed to catch four of the attackers, but the main attackers, who allegedly fired shots, escaped. After an hour and a half criminal police officials arrived. Although the Roma told them that the main attackers had escaped in a car with a licence plate which included the letters OVS, they reportedly were not interested in this information.

Mr Rybáček, deputy director of the District Office for Investigations in Vimperk, informed the *ERRC* on July 31, 2000, that the investigator for the case, Mr Pangl, had accused four men aged between 18 and 27 of rioting and damage to property according to Criminal Code Articles 202 and 157(1). The accusation states that the men had a quarrel with the Roma ("used strong words") and broke the window of their car. On August 17, 2000, Mr Pangl told the *ERRC* that the accused men Mr T.R. and Mr P.R. from Karvina, 25 and 19 years old, Mr M.K., from Havířov, 18 years old, and Mr T.B., from Karvina, 27 years old, claimed that they had been passing by the service station, stopped "to have a look", and became involved in an oral conflict. Eventually the Roma provoked them and the four men damaged their car. One of the accused has been convicted in relation to a fight in Ostrava in the past. According to Mr Pangl, the Roma had caused problems for the police before; one of them "was known to have been working as a pimp". Although

Mr Pangl observed that one of the Romani men was injured during the attack, he stated that he had not received a doctor's report and therefore had no evidence for aggravated bodily harm. On October 10, Mr Pangl informed the *ERRC* that there had not yet been an indictment in the case.

In another incident, in the late evening of July 5, 2000, three men attacked a group of six Roma on the road from Rokycany to the village of Osek, in the western Czech Republic. The *Mladé Fronta Dnes* reported on July 19, 2000 that the men shouted racist insults at the Roma, then attacked two of them physically, causing injuries. According to Ms Jana Tomkové, spokesperson for the Rokycany police, the group of six Roma, ages 15 to 33, two of them girls, were walking quietly down the road. As they passed a restaurant, some young men sitting there shouted racist slogans. The Roma ignored them and continued on their way to Rokycany. Three of the restaurant guests, aged 20 to 21, followed the Roma and caught up with them outside of the village. They continued to insult the Roma and then attacked two of them. The other Roma managed to escape and phone the police, who arrived very quickly. Two of the attackers were caught on the spot and the third one not long after. The victims were treated by doctors for abrasions and contusions. According to the *Mladé Fronta Dnes* article, the investigator accused the attackers of rioting, violence against a group of people or individuals, and defamation of race, under Criminal Code Articles 202, 196(2) and 198. Investigation was still reportedly open as of October 10.

The increasing number of incidents of racially motivated violence against minority groups, particularly against Roma, was one of the main areas of concern noted in the United Nations Committee on the Elimination of Racial Discrimination's (CERD) report on the Czech Republic following its 57th session, in August 2000. The report further noted that many such racially motivated attacks may not even be reported. The Committee expressed concern about the lack of effectiveness and confidence in the criminal judicial system to prevent and combat racial crimes and the ineffective implementation of existing legislation to prosecute perpetrators of incitament of racial hatred. In this connection, concern was also expressed about the degrading treatment minority groups are subjected to by members of the police force. The CERD recommended that the Czech government strengthen measures to intensify enforcement of criminal law against racially motivated crimes, and continue and strengthen training programmes for police and all officials in charge of implementing the law on issues related to racially motivated crime.

A second major area of concern noted in the CERD's report was discrimination against Roma in housing, education and employment; and segregation in housing and education. Of particular concern was the practice of placing many Romani children in special schools which offer a substandard education, reducing their chances for further study or employment. The Committee recommended that measures be taken immediately to end the practice of racial segregation, especially the placement of a disproportionate number of Romani children in special schools, that legislation be strengthened to prohibit racist organisations, and that the government undertake legislative reform to ensure the enjoyment by all segments of the population, of economic, social and cultural rights. Furthermore, the Committee recommended that the government extend and intensify measures taken in the field of teaching, education, culture and information to combat racial discrimination and raise the awareness of the population on all aspects of racism and racial discrimination. (*CERD, ERRC, Mladé Fronta Dnes*)

e Authorities destroy Romani housing in Italy

Over the course of the spring and summer of 2000, the Casilino 700 camp, located twelve kilometers from the centre of Rome, was dismantled by authorities in Rome. This "unauthorised" camp with 1500 inhabitants was one of the largest Romani camps in western Europe. During a series of raids, officers and other municipal authorities destroyed dwellings and property belonging to Roma, and failed adequately to rehouse displaced Roma. The final dismantling of Casilino 700 took place during August and September 2000.

August 1 – At approximately 7:00 AM, about twenty municipal police arrived at Casilino 700, with three small police buses, and began selecting Roma and loading them onto the buses. According to eyewitnesses, authorities told the Roma that the raid was a "regular security check". One Romani man from Macedonia and eighteen Romanian Roma were taken to the police headquarters for immigration in Via Genoa to be fingerprinted and checked. One Romanian Romani man was taken to the detention centre at Ponte Galeria and, as of September 25, was in custody pending expulsion from Italy. As of October 9, his whereabouts were unknown to the *ERRC*. The others were released around 8:00 PM and left to return to the camp, some twelve kilometres away, on their own.

August 2 – At approximately 7:00 AM, municipal police arrived with three small police buses and took approximately eighteen Romanian Roma to Via Genoe to be fingerprinted and checked. Around the same time, Commander Buttarelli of the seventh district of Rome arrived with approximately twenty municipal police officers and Lieutenant Lodoni, head of the municipal police unit overseeing Casilino 700. According to eyewitnesses, police destroyed two shacks belonging to Romani families who were not present at the time, with all of the families' possessions inside. Police announced that the "Macedonian zone" of Casilino 700, home to approximately two hundred people, was slated to be dismantled on the morning of August 4. Macedonian Roma legally in Italy would be transferred to the new Tor de' Cenci camp. No public statement was available as to what would happen to those individuals not in possession of legal permission to stay in Italy. Commander Buttarelli also reportedly announced that approximately 120 Roma from Romania were to be transferred to the Via Candoni/ATAC camp. This camp had earlier been dismantled in May 2000, and should have been rebuilt by October 15, 2000. However, in the first week of October authorities told a journalist from the daily *Il Tempo* that construction was behind schedule. As of October 9, it was not known when the new camp would open. According to eyewitnesses, Lieutenent Lodoni told a group of Roma from Romania that those who were not part of the official list for transfer should "disappear" by September 1. They were told that if they were found on Casilino 700 premises they would be removed forcibly by police. As with the Macedonian Roma, those with residence papers were to be allotted the pre-fabricated housing (known as "containers") in the new Tor de' Cenci camp. Tor de' Cenci was equipped with fifty-eight containers as of August 2. Fifty-five were reportedly intended for Romani families, one designated for police officers who would provide around-the-clock surveillance, another was designated for employees of the State Medical Service, and one would be used for children's activities. Each prefabricated shelter is approximately twenty-five square metres. Married couples without children were told that they did not have the right to a private container. Roma were told not to bring their own campers, only cars and vans.

August 26 – Two police dressed in civilian clothes, Lieutenant Lodoni and police photographers arrived in the Casilino 700 camp with two bulldozers. The authorities instructed the inhabitants of eight shacks in the Romanian area of the camp to remove their possessions from the shacks, after which police photographed the insides of the shacks. Then the Roma were told that they were "free to leave". The authorities then destroyed the eight shacks.

August 28 – Police destroyed another fifteen shacks in the same area, and in the same manner as on August 26. As of this date, approximately one hundred and fifty inhabitants had been expelled from the camp since August 26. As of October 9, some were sleeping in abandoned buildings, some at the Via Salone camp, while the whereabouts of others remained unknown. At 10:00 AM three Romanian Roma were taken to police headquarters at Via Genoa. Authorities issued them expulsion notices. As of October 9, their whereabouts were unknown to the *ERRC*; they are presumably in hiding.

August 29 – At about 6:15 AM police destroyed ten more shacks at Casilino 700 . Lieutenant Lodoni, approximately fifteen uniformed police officers, and eight policemen in civilian clothes oversaw the operation. This time they didn't check first if possessions had been removed from the shacks. One woman, who was at a local water fountain, reportedly arrived just in time to pull her sleeping two-year-old child from his bed before her shack was knocked down. Mr Giorgio Bultianu, 61-years-old, suffered the loss of his means for survival – his two violins – when authorities destroyed his shack containing all of his possessions. Mr Bultianu learned of the loss via telephone: at the time he was in Romania preparing to get married. His fiance, still in Italy, phoned him to tell him that their shack had been completely destroyed. Mr Bultianu is a legal resident in Italy. Aside from his violins, the shack also held his doll collection, clothing, family photos and most of his and his fiance's possessions. The ten shacks torn down on the morning of August 29 brought the total number of dwellings destroyed to 33 since August 26.

August 30 – At approximately 10:00 AM, a procession of some 200 Roma, Moroccan immigrants and representatives from Italian and international non-governmental organisations arrived at the office of the Prefecture Rome, Mr Enzo Mosino, in the center of Rome, to protest the continuing destruction of homes at Casilino 700. Officials in the camp on the morning of August 30 denied that possessions had been destroyed.

August 31 – At around 6:30 AM, more than 30 armed police dressed in riot gear

Snapshots from around Europe

entered Casilino 700. Police closed off the entrances to the camp and refused entry to journalists, associations and observers. Police took approximately ten Roma originating from Romania away, reportedly to the immigration office on Via Genoa. The authorities did not destroy any more shacks, but bulldozed the remains of previously destroyed homes into a heap. Roma whose possessions had been inside the demolished homes were not allowed to examine the remains or attempt to recover lost goods until sunset, when the police left.

At around 7:30 AM, a crowd of around 200 Roma in the camp broke open the locked gate of the camp to allow observers and activists to enter. Police reportedly reacted with verbal and physical violence, pushing people, and reportedly drew weapons as a threat against the Roma. One Romani woman fainted and had to be taken to the hospital. Auxiliary police were called in; most of the police regularly assigned to the camp who were well known to the Roma and activists working there, were not present.

September 8 – While visiting Casilino 700, Advisor for Nomad Affairs of the city of Rome Dr Luigi Lusi and Lieutenant Lodoni informed Roma without permits that they would have to leave the camp. Dr Lusi said that the final dismantling of Casilino 700 would take place on September 13, and that the situation of the Roma without permits would be resolved within the following six days. When asked by one Romani inhabitant if that meant expulsion from Italy, Dr Lusi refused to comment.

September 9 – At around 6:30 AM, approximately 40 armed police dressed in riot gear entered Casilino 700 camp and destroyed the shacks of Roma without residence permits. Some of the 250 Roma without permits, the last irregular inhabitants of the camp, left Casilino for Via Salaria on Rome's northern periphery (about 16 kilometres away) after being instructed to go there by authorities. They were met at Via Salaria by hostile local demonstrators. Police then accompanied a number of Roma from Via Salaria to a camp at Via Salone, another of Rome's outlying areas, but the authorities there were not prepared to receive the Roma. On the night of September 9, many families had to sleep in their cars.

September 10 – Members of concerned non-governmental organisations visited the camp at Via Salone. This state-authorised

Romani camp Casilino 700 on August 29, 2000.
PHOTO: STEFANO MONTESI

camp had, on that date, 850 inhabitants. The camp lacked basic infrastructure: there was no electricity, water was not sufficient, and there was no drainage system. The inhabitants complained of rats and scabies. The camp is located approximately 20 kilometers from Rome, away from any other buildings and surrounded by fields. The isolated location presents a problem for the Roma to work, buy provisions and to send their children to school. At first, Roma who moved to Via Salone from Casilino 700 slept in their cars. As of October 9, many had left the Via Salone camp and settled in a large abandoned house nearby.

September 11 — More shacks in Casilino 700 were destroyed; the only remaining inhabitants of the camp were the 350 Roma with legal permission to stay in Italy.

September 22 — In the very early morning hours, a group of five urban police entered Casilino 700 and, according to witnesses, informed inhabitants of the Macedonian area of the camp that they should stay in their shacks until the morning because there would be a "routine check". At 6:30 AM, two small police vans, twelve police officers, Lieutenant Lodoni, and Mr Serpieri of the Rome Immigration Office reportedly arrived with a list of the men they were looking for. They located five Macedonian Romani men, and, according to witnesses, told them each to "pack a small bag with their belongings." At 2:30 PM their whereabouts was unknown and the Immigration Office on Via Genoa refused to give the *ERRC* monitor any information regarding the detentions or possible expulsions. The five men had no immediate family in Italy and had been threatened with expulsion on various occasions, though never issued an expulsion notice. On September 26, the *ERRC* learned that two of the men had been expelled from Italy, two remained in detention as of that date, and one had been released from custody. As of September 25, about 250 people, all legal residents of Italy, remained in Casilino. They are awaiting transfer to the rebuilt Carrucci camp, scheduled to be completed by October 15. However, the new Carrucci camp will only accommodate 200 people, while at least 250 need a place to live.

Italian authorities have destroyed other Romani camps recently. In early August 2000, Italian police dismantled the Carrucci camp, on the outskirts of Rome. The Carucci camp had been established to accommodate temporarily Roma of Bosnian origin after the March 3, 2000, dismantling of the Tor de' Cenci "unauthorised" camp, which resulted in the expulsion of 58 Bosnian Roma to Bosnia-Herzegovina (see "Advocacy", *Roma Rights* 2/2000). At approximately 6:30 AM, on August 7, 2000, seven municipal police cars, three high-security cars and two state police vehicles arrived at the Carucci camp with municipal police, representatives from the City of Rome, local council member Salvatore Margerita and Counselor for Nomad Affairs of the city of Rome Dr Luigi Lusi.

As of Sunday, August 6, 2000, 138 Roma lived in the Carucci camp. On August 7, when the dismantling and preparation for transfer began, approximately fifteen Roma were taken into police custody for identification and fingerprinting. They were to be transferred to via Salone (on the opposite periphery of Rome) by the end of the day. No statement has been made as to why they were detained and why they were transferred to the via Salone camp. They were told that it was a "routine check". Of the fifteen taken into custody, three were adult females and the rest minors. Ninety-three Roma from Carucci were officially assigned housing at the new Tor de' Cenci camp and were transferred on Wednesday, August 9 and Thursday, August 10, escorted by police. Approximately fourteen Roma from the camp were not present when the police arrived on August 7. The police impounded their campers (nine in total) with their possessions inside. As of October 9, they remained impounded. Soon after impounding their campers, police transferred these Roma to the Via Salone camp. However, the residents of Via Salone chased them out of the camp. Some returned to Via Carucci and were staying with relatives and friends as of October 9, others were sleeping outside of camps. As of October 9, only five people from Carucci had actually been given housing in the Tor de' Cenci camp. Eight families, a total of forty people, remained without assigned housing, and were sleeping in their cars, vans, in the open, near the camp. The Tor de' Cenci camp, with adequate space for no more than 200 inhabitants, hosted approximately 265 as of October 9. Witnesses heard Dr Lusi, when questioned by several Roma regarding their future, respond with obscene language and suggest that they "disappear". Roma from the camp say that Dr Lusi often uses violent and abusive language when speaking with them. Abuse of Roma in Italy is the subject of a forthcoming report by the *European Roma Rights Center*. (*ARCI, ERRC, Il Tempo*)

• Roma expelled from Italy beaten, unable to return to homes in Bosnia-Herzegovina

Amnesty International has expressed concern over the forcible returns of vulner-

able individuals to Bosnia-Herzegovina. A recent report by *Amnesty*, "Waiting on the Doorstep: Minority Returns to Eastern Republika Srpska," describes the aftermath of an incident of forcible deportation of 56 Roma from two camps near Rome, Italy, on March 2, 2000 (see "Advocacy", *Roma Rights* 2/2000). Upon their return to Bosnia, according to the *Amnesty* report, 29 of the Roma travelled to their former homes in the Vlasenica municipality, Republika Srpska, to see their houses. There the Roma were reportedly beaten by a group of local Serbs who told them to return to the Federation. The Romani group returned to the Federation, but were not provided with accommodation by Bosnian authorities.

According to the *Amnesty* report, displaced Roma originating from the Bijeljina municipality, northeastern Republika Srpska entity, Bosnia-Herzegovina, face serious problems in returning to their pre-war places of residence. In the report, *Amnesty* raises concerns over the large number of former inhabitants of Republika Srpska, among them Roma, that remain displaced in the Bosnian Federation. According to the report, about 2000 Roma from Bijeljina, located in Republica Srpska, almost half of the pre-war Romani population of Bijeljina, have been living in the Tuzla Canton in the Bosnian Federation since their return from especially Germany. According to *Amnesty*, Roma claim that apart from slowness in processing their applications and non-execution of the decisions of the Ministry for Refugees and Displaced Persons, in order to regain possession of their property they have been forced to pay sums of between 5,000-6,000 German marks to the occupants. *Amnesty* reports on the case of Mr Velaga Besanović, a Romani man from Bijelina, who returned to Bosnia-Herzegovina from Germany in May 1997, and for three years has not been able to move back into his own house. Before returning to Bosnia-Herzegovina, Mr Besanović was reportedly told by German police that he would be able to move into his house within fifteen days of arrival. When he returned to his house, he found it occupied by a displaced Serb family from Kovačiči, central Bosnia-Hezegovina, who refused to vacate the house. Mr Besanović then lived in Tuzla for some time, paying rent with the money granted him by the German authorities to reconstruct his own house. Despite a decision of the Bijelina municipal office of the Ministry for Refugees and Displaced Persons in October 1999, confirming his ownership of the house and his right to repossession, as of July 2000, Mr Besanović has reportedly not been able to re-enter his house. He is currently living with another Romani family in Bijelina. (*Amnesty International, ERRC*)

• Fire bomb attack on Romani house in Czech Republic

On July 14, 2000, at about 11:00 PM, a fire bomb was thrown at the window of the house of the family of Mr Jiří Giňa, a Romani family living close to the railway station in the western Czech town of Rokycany, according to the Czech daily *Mladá Fronta Dnes* and Czech State TV. The explosive broke on the window frame and did not fall into the room inside where three children were sleeping. The bomb did not explode and caused no damage.

In connection with this attack, on July 18, 2000, Mr Jiří Houba, director of the Regional Police Directory of Rokycany, told the *ERRC* that investigator Ms Broumová of the Rokycany Investigation Office had accused three seventeen-year-old men of racially motivated crime under Criminal Code Article 196(2). As of October 10, the three men were not in police custody. *Mladá Fronta Dnes* reported on July 20 that the three men accused of the attack were members of the right-wing extremist group *Český Lev* (*Czech Lion*). According to Ms Jana Tomková, spokesperson for the Rokycany police, on the evening of July 14, the three accused men drank about ten glasses of beer in a restaurant, and then decided to burn the Giňa house. They went to the house, lit the bomb and threw it at the window. The burning piece of cotton fell out of the bottle, which crashed on the side of the window and fell to the ground outside the house. The attackers ran away to prepare another fire bomb. They intended to throw it at another Romani house, but they could not find an appropriate opportunity so they returned to the Giňa house in order to repeat the attack. However, a lot of people were standing around the house so they decided not to carry out another attack. On October 10, 2000, Ms Broumová informed the *ERRC* that the investigations were still open.

In a separate but possibly related incident, some time between July 14 and July 17, 2000, unknown perpetrators broke three windows of the office of the Rokycany-based Romani non-governmental organisation *Kulturní Jednota* (*Cultural Unity*) and poured gasoline on the floor inside. No fire resulted. The well-known Romani activist Mr Ondřej Giňa is the chair of this organisation. Mr Giňa had feared that the fire bomb attack of July 14, 2000, against a family of the same name, had been intended for him. Mr Houba told the *ERRC* that even after discovering the damage to the office, the police did not guard the

office as nobody lived there and there was no danger of life. According to him, the police were not even guarding the house of Mr Giňa, but were periodically checking the site of the first fire bomb attack, Mr Giňa's house, and the house of his son in Myto, a neighbouring town. Roma interviewed by the *ERRC* considered this protection inadequate. On October 11, 2000, Mr Kônigsmark, head of the local police in Rokycany, told the *ERRC* that investigation into the arson attack on the *Kulturní Jednota* was still open. He stated that police did not have any suspects. Chemical analysis of the clothing of the three men accused of the firebomb attack on the house of Mr Jiří Giňa reportedly did not find traces of the same chemical found in the office. Police have excluded the possibility of any connection between the two cases. (*Czech Press Agency, Czech State TV, ERRC, Mladá Fronta Dnes*)

• Romani woman attacked in Poland

According to reports by the Tarnów-based *Cultural Center of Roma in Poland*, on August 27, 2000, at around 2:00 AM, two men wearing masks broke into the home of Ms Agata Ciureja, a 32-year-old Romani woman, mother of six children, at number 11 Fabrycznej Street, in the outskirts of Tarnow, and attacked her with an axe. Ms Ciureja suffered serious physical injuries and had to be admitted to the hospital. Ms Ciureja told members of the *Cultural Center of Roma in Poland* that she believed that the attackers were members of a group of about 20 skinheads who had broken into her apartment about three weeks previously, in an attempt to scare her out of the neighborhood where she had been assigned a flat by the government. She reported the attack to the mayor of the city and the police, and as she believed that she knew who the attackers were, the police detained two suspects but were reportedly unable to proceed for lack of evidence, and released them soon thereafter. Ms Ciureja also asked the mayor if she could be assigned a different apartment, but he reportedly refused, stating that the attack could have happened to anybody. After an appeal by the *Cultural Center of Roma* in Poland, the city council agreed to build a new home for Ms Ciureja, in a different neighbourhood. As of October 9, she was in hiding.

In its June 27, 2000, review of Poland, the Council of Europe's European Commission against Racism and Intolerance (ECRI) expressed concerns on several topics, including racially motivated violence against Roma. ECRI noted that according to some reports, police do not react appropriately to racially motivated crime. Roma have reportedly been the victims of attacks, often carried out by skinheads. Police response to such acts is reportedly slow and investigations inadequate. ECRI also expressed concern about allegations of police violence and abuse directed at members of the Romani community. ECRI stresses that the authorities should not tolerate any police brutality, and that this should be made clear by a firm and public condemnation by politicians and police leaders. Steps should be taken to investigate all alleged malpractice and to punish offenders. ECRI calls on the government to "ensure that criminal prosecution of offences of a racist or xenophobic nature is given a high priority and is actively and consistently undertaken." ECRI also stresses the importance of training police officers in issues of racism and discrimination.

According to the ECRI report, prejudices against the Romani community persist in Polish society and lead to discrimination in everyday life. Romani children face disadvantages in the field of education and Roma often have disproportionate difficulty in finding employment. ECRI states that issues of racism and intolerance are still relatively unacknowledged in Poland, and legislation in the field is insufficiently implemented. ECRI recommends that Polish authorities take further action to combat racism and intolerance, including ensuring that relevant legislative provisions are implemented in practice, increasing training and awareness-raising of officials in various key sectors, and establishing a system of monitoring and evaluation of the situation of minority groups as regards possible discrimination. The report points out the need to raise the awareness of the general public and opinion leaders concerning problems of racism and intolerance. *(Cultural Center of Roma in Poland, ECRI)*

• Greek authorities evict Roma

The *ERRC*, in cooperation with the Athens-based non-governmental organisation *Greek Helsinki Monitor* has documented that Roma are being evicted from settlements near Athens to clear ground for sports facilities for the 2004 Olympics. The Greek capital will host the Olympic Games and has undertaken massive construction efforts to that end; however, no adequate housing has been provided for the approximately 3000 Romani tent-dwellers of Aspropyrgos and Ano Liosia in the suburbs of Athens. These people live without any infrastructure, close to garbage dumps. In July 2000, authorities of these two munici-

The Aspropyrgos settlement on the outskirts of Athens.
PHOTO: *GREEK HELSINKI MONITOR*

palities started what they called "cleaning operations", as a result of which Roma were evicted and their shacks leveled. They were reportedly not shown proper legal authorisations prior to the forced evictions.

On July 14, 2000, a municipal bulldozer entered the settlement of Romani tent-dwellers in Aspropyrgos, fifteen kilometers west of Athens, and demolished most of the huts, in the presence of the Mayor of Aspropyrgos and the police. The huts belonged to Greek and Albanian Roma and contained their personal belongings. Seven or eight Greek Romani families with sick members, unable to move, were given the ultimatum to leave the site by July 17. No eviction protocols were presented to the Romani families. Furthermore, the operation was carried out without the authorisation or presence of a public prosecutor, as is required under Greek law in cases of violation of home privacy. According to the police, this was a municipal "cleaning operation" to empty the site of vacant shacks belonging to "Albanian Gypsies". Local Roma filed a complaint with the Greek Ombudsman's Office and on July 25 the latter wrote to the Mayor and the City Council of Aspropyrgos, inquiring whether the July 14 operation had been preceded by a city council decision and whether the Romani inhabitants had been presented with the protocols of administrative eviction. The letter noted that if this procedure had not been observed, the operation would be in breach of Article 241 (violation of security of home) and Article 331 (taking the law into one's own hands) of the Greek Criminal Code. Local authorities allegedly responded that they had "cleaned" the area for the benefit of the Roma living there. As of October 10, the *Greek Helsinki Monitor* intended to

present further evidence in the form of pictures of destroyed shacks, and will press the Ombudsman's Office to pursue the case.

A few days prior to the operation, the Mayor of Ano Liosia, another western suburb of Athens, allegedly paid each family of local Romani tent dwellers 100,000 drachmas (approximately 300 euros) to leave the area, and then leveled their huts. Roma have lived on the site for a number of years. The municipality promised the Roma water supply and garbage collection in 1996. These promises were not kept: the settlement continues to be plagued by inadequate refuse removal and rats.

Further forced evictions of Roma may result from a new resolution adopted by the Municipal Council of Midea, in the Peloponnese region of southern Greece in July 2000. The resolution claims that Roma pose a threat to people passing through the busy crossroads around which they reside. It further states that Roma are responsible for extremely high crime rates in the area. The resolution recommends that local Roma owning land should be allowed to remain in the region, but should be moved to property in another area. For those Roma without property, the resolution suggests establishing a "suitable place" for their accommodation, with appropriate infrastructure. In light of repeated forced evictions of Roma in Greece, the *ERRC* fears municipal authorities may attempt to expel Roma from Midea in the near future.

The Council of Europe's European Commission against Racism and Intolerance (ECRI) released a report examining racism, racial discrimination, xenophobia, antisemitism and related intolerance in Greece on June 27, 2000. The report expresses concern that although recently the Greek government has initiated programs aimed at improving living conditions for Roma, "the implementation of the action plan often encounters resistance at the local level. Local communities are sometimes unwilling to welcome the members of this minority group." The report expresses concern specifically, that "Roma/Gypsies living in camps often face extremely harsh living conditions. In recent years, including 1999, some municipal authorities have expelled communities of Roma/Gypsies from the camps in which they had lived for many years, in certain cases without providing alternative accommodation. This has sometimes resulted in Roma/Gypsies being repeatedly expelled from each new place they attempted to settle. These expulsions were sometimes accompanied, apparently unhindered by the police, by the destruction and arson of houses, and by threats and humiliating treatment by local authorities and municipal employees." According to ECRI, Roma are furthermore excluded from many normal citizenship rights and benefits such as public social security and health care. They experience discrimination in various areas of public life, for example, when attempting to rent accommodation or to enter public spaces such as restaurants. Educational opportunities may be inadequate, resulting in low levels of literacy among Roma living in camps. The report concludes that "these problems are connected to the generally low level of recognition within Greek society of its multicultural reality" and recommends to the Greek authorities that further action be taken to combat racism, xenophobia, antisemitism and intolerance in a number of areas. For further information on forced evictions of Roma in Greece, see "Notebook", *Roma Rights* 2/2000. (*CERD, ECRI, ERRC, Greek Helsinki Monitor*)

• Racist Hungarian textbook removed from curriculum

According to the *Roma Press Center*, the Hungarian Ministerial Commissioner for Education Rights, Lajos Áry-Tamás, has requested that the Hungarian Ministry of Education remove a textbook containing prejudiced statements about Roma from the official list. Experts and Hungarian Romani organisations requested by the Commissioner for Education Rights to review the fifth grade textbook "Humans and Society", published two years ago, found the chapter on Hungary's Romani minority offensive. The book reportedly states that "a major part of the Roma could not or would not lead a European lifestyle," and "the life of a part of the Roma is marked by crime." The book also charges that the Roma spied for the Turks during the approximately 150 years of Turkish rule in Hungary after the sixteenth century, and that they acted as henchmen at the executions of Hungarian historical figures. The Ministry urged the Apáczai Publishing House to purchase back all 763 copies of the textbook sold. Results of a 1995 survey of over four thousand eight grade students conducted by the Institute for Minority Studies at Hungarian Eötvös Lorand University showed that their knowledge about minorities is minimal, and prejudices — especially against Roma — are widespread. (*Agence France Press, Roma Press Center*)

• Skinhead violence against Roma in Yugoslavia

On August 17, 2000, several Romani families living on Pozecka Street in Belgrade told the *Humanitarian Law Center (HLC)*, a

Belgrade-based non-governmental organisation, that they had been subjected to harassment by groups of non-Romani men about once a month for over a year. Mr Blagoje Mustafić, who lives on Pozecka Street, told the *HLC* that the young men have shaved heads, and that they throw large rocks at the Romani houses, often breaking windows, shout racist insults, and threaten to set the houses on fire. According to Mr Mustafić and other witnesses interviewed by the *HLC*, the police did not take action to stop the attacks and often would not even come when called. Mr Mustafić and other witnesses alleged that the latest attack took place on July 31, 2000, at about 5:30 AM, when a group of young non-Romani men arrived in a car, shouted racist insults, and threw rocks, breaking a window. The police allegedly refused to come when the Roma phoned them to report the attack, saying that the Roma must have done something to provoke the attack themselves. The families organised a night watch and have covered their windows with boards to protect themselves.

In another incident, in Vranje in south-eastern Yugoslavia, on April 29, 2000, at around 11:30 P.M, a group of skinheads allegedly attacked Demir Idić and Saša Alievć, two fifteen-year old Romani boys. The two boys told the *HLC* that while they were walking on Peti Kongres Street to return a videotape to a video rental store, three skinheads dressed in camouflage trousers and military boots approached them. The boys started to run, but were overtaken by a large group of skinheads with baseball bats. After the skinheads punched Saša in the stomach and head, he managed to escape. The skinheads allegedly beat Demir with baseball bats in the lower back, kicked him and beat him on the head. Then they knocked Demir to the ground and continued to kick him and hit him in the ribs with the baseball bats, at the same time insulting his ethnic origins. Demir eventually managed to run away, while the group threw rocks after him. When Demir reached home, he called the police and then went with his father to the police station. Demir said that one police officer asked him where the skinheads were. When Demir said he did not know, the officer told him to let them know if he recognised any of his attackers. Demir went to the doctor to have his injuries treated and discovered that he had two broken ribs. No complaint was filed in the case because the incident was reported too late. (*ERRC, Humanitarian Law Center*)

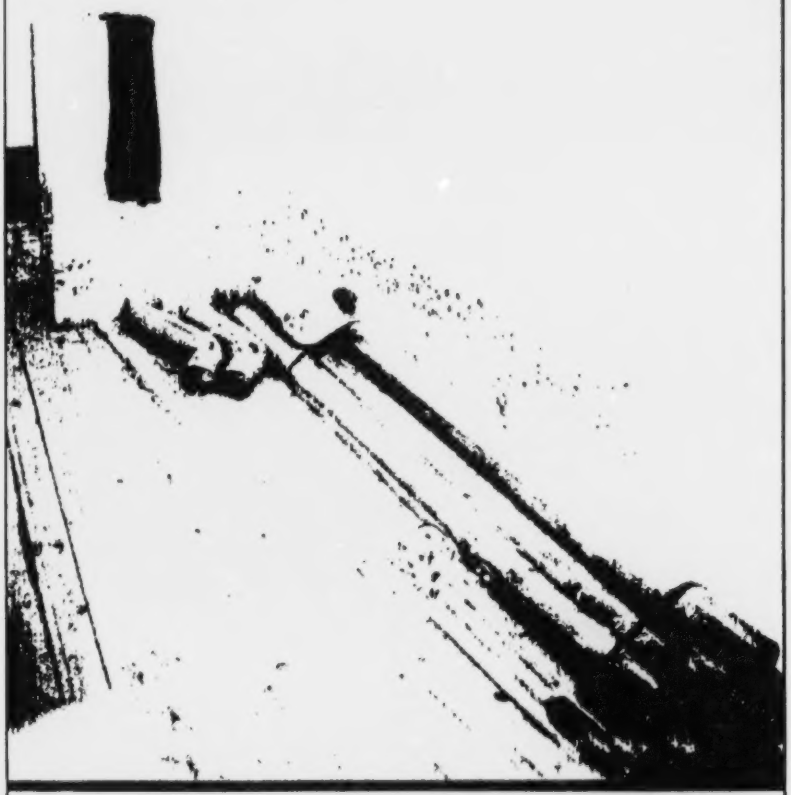
• Abusive police raids on Romani communities in Greece

On July 6, 2000, at about 6:00 AM, a special unit of the Thessaloniki General Security raided the Romani settlement by the Gallikos river in Thessaloniki, searching for drugs, weapons, and suspects. About one hundred Roma were taken into police custody. It was later ascertained that a few of the detainees had prior offences for unpaid trading taxes or driving without a license. No weapons or drugs were reportedly found during the operation and no one was charged with any crimes. On July 7, the Prefectorial Authority of Thessaloniki issued a statement denouncing the absence of a public prosecutor during the July 6 raid and defining it as an "unmitigated violation of the sanctuary of the family." In a letter to the Thessaloniki police on August 11, the Greek Ombudsman's Office called the raid "a possible indication of the stereotypical view that links Romani people to serious criminal offences." The Gallikos Romani Association *Aghia Sofia*, with the assistance of the *ERRC* and the *Greek Helsinki Monitor*, submitted a complaint to the Greek Ombudsman's Office. As of October 10, there had reportedly been no disciplinary action or criminal proceedings against any of the police officers who took part in the raid.

On June 27, 2000, the Council of Europe's European Commission against Racism and Intolerance (ECRI) released a report on racism, racial discrimination, xenophobia, antisemitism and related intolerance in Greece. Among other Roma-related concerns, ECRI mentioned the frequents reports that Roma are victims of police misbehaviour in Greece. "In particular, Roma/Gypsies are often reported to be victims of excessive use of force – in some cases resulting in death – ill-treatment and verbal abuse on the part of the police. Discriminatory checks involving members of these groups are widespread. In most cases there is reported to be little investigation of these cases, and little transparency on the results of these investigations. Although most of these incidents do not generally result in a complaint being filed by the victim, when charges have been pressed the victims have reportedly in some cases been subjected to pressure to drop such charges." ECRI stresses the urgent need to improve the response to complaints by members of minority groups of police misbehaviour in Greece. ECRI also suggests that Greek authorities increase human rights and anti-discrimination training for police. (*ECRI, ERRC, Greek Helsinki Monitor*)

• Leading Hungarian politicians deny Romani problems

Social and Family Affairs Minister Péter Harrach said on August 5, 2000, regarding Roma from the central Hungarian village of Zámoly seeking refugee status in



Housing on the outskirts of Zámoly, central Hungary, August 2000, for Roma from the town. The black marks are mould caused by flooding. The local government has authorised the houses as ready, despite their evidently uninhabitable state.
PHOTO: ERRC

France, that "some were going abroad to discredit Hungary, not only demanding compensation but making groundless allegations against the state and government." On August 9, Hungarian Prime Minsiter Viktor Orbán backed Mr Harrach's statement in an interview on Hungarian Radio, suggesting that Hungarian Roma should "try to study and work more."

These comments followed the flight of several families of Hungarian Roma, totalling approximately 50 people, to France in mid-July. The families have been without a secure place to live and have repeatedly been forced to move since the local government destroyed their homes in Zámoly in 1997. While still in Zámoly, they received numerous oral and written death threats. From late 1999, they were housed in Budapest, where they lived until April 2000 in one very small flat, not capable of adequately housing the group. Following their move to Budapest, the mayor of Zámoly attempted unsuccessfully to have their official address removed from the Zámoly town records. In April 2000, the Zámoly Roma were again forced to move, this time to the village of Csór where, with the assistance only of a relative, they were sheltered in a basement garage, a coal cellar and a furnace room with no heat, lighting or warm water. Mr Dezső Csete, the mayor of Csór, was widely quoted in the Hungarian press after, in direct reference to the Zámoly Roma, he stated on national television on April 27, 2000, "At the present time, I believe that the Roma of Zámoly have no place among human beings. Just as in the animal world, parasites must be expelled." Mr Csete has to date suffered no negative consequences as a result of his statement. The village of Zámoly

BEST COPY AVAILABLE

sanctioned the construction of substandard housing at the edge of town, in a low area plagued by flooding. On February 21, 2000, authorities issued an occupancy permit for the houses in Zámoly, despite the fact that the houses did not meet the habitability requirements established by law. As of August 31, 2000, the habitability requirements still had not been fulfilled. The *ERRC* has awarded a grant to an attorney to represent six Romani families from Zámoly in their complaint against the Mayor of Zámoly. A complaint was filed on June 15, 2000, with the Székesfehérvár Municipal Court, and was later removed to the Fejer Country Court. The first hearing in the case has been scheduled for October 31, 2000.

The *ERRC* held a press conference in Zámoly on August 31, 2000, (i) to clarify the facts and underlying legal bases for the compliant lodged by the Zámoly Roma, in response to the lack of accurate and objective information made available to the public on the case; and (ii) to express concern at the quality and tenor of public statements made by Hungarian officials, including high-ranking members of the government, about the Zámoly case, which may have exacerbated an already tense situation vis-a-vis Roma in Hungary. (*Agence France Press, ERRC, Radio Free Europe, Roma Press Center*)

• Traditional British Romani horse fair threatened

On August 31, 2000, the British government agreed to ban "any trespassory assembly within five miles of the village of Horsmonden in Kent." The order was allegedly intended to prevent the annual traditional Horsmonden Horse Fair from taking place, as it has done for hundreds of years, on Horsmonden village green, between September 7 and 11, according to the *Guardian* of September 7, 2000. The Horsmonden parish council sought to put an end to the fair as it had "grown too big", and led to problems with traffic and horses being raced up one-way streets the wrong way.

Britain's leading Romani organisations, the *National Romani Rights Association (NRRA)* and the *Gypsy Council*, have condemned the government's action as an act of racial discrimination. According to the *Guardian*, on September 7, 2000, the *Gypsy Council*, the *NRRA* and *Liberty*, a civil liberties group, sought a judicial review of the decision of Mr Jack Straw, the home secretary, to sign an order banning the fair, claiming that the ban is unreasonable and possibly discriminatory, and that there is no good reason why the historic event should be cancelled. The Romani organisations organised a parade through the village, led by traditional Gypsy wagons, on September 10.

Eli Frankham, *NRRA* president, who has attended the fair all his life, says: "In an age where nomadic life is all but outlawed, fairs such as these bind the Gypsy community together. They are the places we meet, trade and continue our traditions. The attack on this fair is therefore a direct assault on the Gypsy community of this country." Unlike other traditional Romani horse fairs in the United Kingdom, such as those held at Appleby in Cumbria and Stow on the Wold in Gloucestershire, the Horsmonden Fair has never been granted a Royal Charter guaranteeing its continued existence. But Roma have been trading horses on the Horsmonden village green for hundreds of years. (*Guardian*)

• More disturbing events in Slovak police custody

The Slovak press reported on June 20, 2000, that a nineteen-year-old Romani man named Zdeněk G. had "attempted to commit suicide" while in police custody in the eastern Slovak town of Trebišov in connection with breaking and entering and robbery. According to press reports based on information supplied by police authorities, Mr Zdeněk G. rammed his head into a sink and then tried to cut his own throat with the shards. International medical authorities commented that the action is a very unusual method of attempting suicide. Although Slovak law provides that legal defence must be provided in cases of robbery, it was unclear what measures had been taken to ascertain that Mr Zdeněk G.'s injuries had been self-inflicted. Police abuse of Roma, including abuses in police custody, are reported with disturbing frequency in Slovakia; officers are rarely if ever held accountable for abuses, even in extreme cases in which Romani individuals have died in police detention.

In other Slovak news, according to domestic media reports from July 29, 2000, Mr Robert Fico, leader of the Smer party, proposed criminalising the theft of wood and other agricultural products from fields. According to Slovak National Party (SNS) deputy chairperson Dušan Mašlonka, this would be a valuable move because fields are being "plundered" by "Gypsy locusts". He proposed calling out the army in defence of Slovak fields. On July 31, according to the Slovak daily *Korzar*, Mr Fico expanded on his proposals by calling for an end to "the growth of a poor quality Romani population." Mr Fico, whose Smer party was formed shortly after the 1998 Slovak general elections, is widely held to be vying for position by appealing to racist votes formerly cast in favour of the Slovak National Party.

Snapshots from around Europe

Romani illegal occupants of flats in Király street, Budapest, September 21, 2000. Due to the efforts of civil rights activists, the Roma in the block of flats on Király street will be rehoused. The local government had attempted to evict them without providing alternate accommodation. A new law in Hungary, in effect since May 2000, facilitates the expulsion of illegal occupants from flats by allowing the notary public to issue an eviction notice, against which appeals are not suspensive. Roma rights activists in Hungary now warn of a possible dramatic rise in homelessness of Roma.
PHOTO: ERIC

On August 4, 2000, according to Slovak and international media, Slovak MP Vitězslav Mořič stated that reservations should be established for Roma in Slovakia, modelled on Indian reservations existing in the USA. Mr Mořič reportedly stated on a radio broadcast on August 4, "I think that if we fail to establish these reservations now, Gypsies will set them up for us in 20 years' time." On August 8, Slovak press reported that the Romani political party Romani Intelligentsia Party (RIS) had filed a criminal complaint with the Slovak General Prosecutor's office for incitement to racial hatred, defamation of race and nation, spreading false reports, and supporting movements aimed at the suppression of rights and freedoms against Mr Mořič for his comments. Police asked the parliament to strip Mr Mořič of his immunity, and on September 21, the parliament voted 65 to 27 to do so. As of October 2, he had not yet been indicted. *(BBC, ČTK, Korzár, Narodna obroda, Nový čas, Pravda, SME)*

• French mayors protest Romani gathering

About forty mayors from the region of northeastern France near the village of Chambley threatened to protest against an evangelical gathering of tens of thousands of Roma on the weekend of August 20-21, 2000, according to the *Reuters* news service. The Roma "are citizens like me but they do not respect the same laws," Mr Jean Libotte, mayor of Chambley reportedly stated. Complaining that in the past, authorities had failed to provide adequate facilities or policing, Libotte said that as protest, the mayors would refuse to make regional arrangements for the September 24 referendum on whether to cut the French presidential term to five years from seven. France's *Movement Against Racism and For Friendship Between Peoples* (*MRAP*) condemned the mayors' attitude as racist.

On June 27, 2000, the Council of Europe's European Commission against Racism and Intolerance (ECRI), released a report on racism, racial discrimination, xenophobia, antisemitism and related intolerance in France, among other countries. While recognising that in recent years France has taken steps to combat racial discrimination, the report expressed concerns about the considerable part of France's Romani population which is not permanently sedentary; "Although a 1990 law imposes on municipalities with a population of over 5,000 that they provide a place where travellers can stop, implementation of this law is reported to

BEST COPY AVAILABLE

be unsatisfactory, *inter alia* because many municipalities have not provided such spaces or because the spaces provided are not suitable. This results in Roma/Gypsies settling in areas from which they are often expelled. The denial of travelers' right to stop also has important repercussions on their employment and education opportunities. ECRI urges the French authorities to address these questions." (*ECRI, Reuters*)

• Threatened evictions of Roma in Hungary

On August 22, 2000, according to the *Roma Press Center*, fifteen government owned flats in Budapest's thirteenth district, complete with unlawful tenants, were sold by auction, immediately after a five-year central government ban on the sale of municipal social rental units had elapsed. At least ten of the flats were occupied by Romani squatters. The district municipal property management department reportedly stated that this auction was a test; if successful, further flats, also occupied by squatters, would be sold. Flats were sold for up to four million Hungarian forints (approximately 15,300 euros); most of them lack toilets and bathrooms and have arrears in rent and utilities. It is the responsibility of the new owners to evict the squatters. Ms H.S. is a Romani mother of two who has illegally occupied a flat for three years, and has always paid the bills on time. Now the flat has been sold, and she is threatened with imminent eviction. According to the local government of the thirteenth district, there are court orders for all of the families to be evicted, but the families claim that they have not received any court orders.

It is currently estimated that there are between two and six thousand squatters living illegally in flats in Budapest. Non-governmental organisations report that many of these are Roma. Romani families have been among the first to get evicted, and recent legislation relating to squatters and unlawful tenants in effect since May 2000 allows a notary public to order an eviction without seeking permission of a court. Squatters can now be expelled from housing without recourse to a suspensive appeal. (*Roma Press Center*)

• Prosecuting racist criminals in the Czech Republic

In a decision of importance to Roma rights, on August 29, 2000, Judge Hrachovec, of the Supreme Court in Brno, overturned the verdict of the District Court of the northern Czech town of Jeseník concerning a racial attack against a Romani man named Tibor Mižigar. The *Czech Press Agency* reported that Judge Hrachovec critised the District Court judge for examining the actions of the four skinheads acquitted only individually rather than as participation in a joint racial attack.

On July 17, 1999, at 10:40 PM, a group of skinheads attacked Mr Mižigar, a twenty-seven-year old Romani man, in a bar in Jeseník. The skinheads shouted racial abuse at Mr Mižigar and threw pool balls at him, before attacking him with baseball bats and pool cues. Mr Mižigar was seriously injured and required two weeks to recover. Observers noted that the attack appeared to have been an attempt to kill Mr Mižigar (See "Snapshots from Around Europe", *Roma Rights* 3/1999).

On January 24, 2000, the District Court of Jeseník returned an extremely unsatisfactory decision on the case: only two of the six men originally indicted were found guilty of damage to health and racially motivated damage to health (Criminal Code Articles 221 (1 and 2b)), disturbing the peace and disturbing the peace in a group (Articles 202 (1 and 2)), and defamation of nation or race (Article 198 (1a)) Mr Radek Šupa was sentenced to eighteen months imprisonment, and Mr Edvard Šindler was sentenced to twenty-two months imprisonment: both had been previously convicted in connection with racially motivated attacks. The remaining four individuals were acquitted (See "Snapshots from Around Europe", *Roma Rights* 1/2000). Due to this Supreme Court decision, the case will be returned to the District Court of Jeseník which will have to issue a new ruling in accordance with the Supreme Court's instructions. (*Czech Press Agency, ERRC*)

• Bulgarian Roma denied legal remedy for human rights abuse

The *Drom Foundation*, a non-governmental organisation for the legal defense of Roma, based in Vidin, Bulgaria, has documented three cases of Roma who sustained bodily injury as a result of illegal use of firearms by civilians or police officers. As of September 15, 2000, none of the victims, all of whom were injured in 1998-1999, had been able to obtain remedy within the Bulgarian judicial system.

Tsvetan Kirilov

On May 2, 1998, Mr Tsvetan Kirilov, a 35-year-old Romani man, was shot and wounded in the leg by the guard of the Vidin factory *Phenix Bdin, Ltd.* According to Mr Kirilov, the incident took place when he passed by the factory on his horse cart and tried to pick up a piece of scrap metal lying outside the factory fence.

AR 25

On May 19, 1998, the criminal investigation into the case was terminated by the District Prosecutor's Office of Vidin on the grounds that the wounding of Mr Kirilov had been accidental and the perpetrator could not be considered culpable. Two appeals of the decision filed respectively before the Vidin Regional Prosecutor's Office on October 28, 1999, and before the Sofia Appellate Prosecutor's Office on December 21, 1999, were turned down. On February 2, 2000, Mr Kirilov filed an appeal with the Supreme Prosecutor's Office of Cassation. On July 11, 2000, a resolution of the Supreme Prosecution of Cassation upheld the previous non-indictment decision.

Valko Borissov

On July 31, 1998, Mr Valko Borissov, a 32-year-old Romani man from Vidin, was shot and wounded in the hand by a police officer of the Vidin District Police Department. According to Mr Borissov's allegations, he had received orders from the Chief Sergeant on duty at the Vidin Dispatching Railway Station to remove his car from the area, where parking was not allowed. Mr Borissov tried to get permission from the police officer to leave the car for a short time, while he took his son to his grandfather's house, just across the railway. Mr Borissov then headed across the railway track and the police officer tried to stop him. When Mr Borissov did not stop, the police officer took out a gun. Mr Borissov became afraid and started to run. The police officer then shot him in the right hand.

On December 2, 1998, the Pleven Regional Military Prosecutor's Office refused to open a criminal investigation against the police officer based on Mr Borissov's complaint. Upon appeal before the Sofia Military Appellate Prosecutor's Office from February 16, 1999, criminal investigation was opened. On May 21, 1999, the criminal investigation was terminated with a non-indictment act. Upon appeal of this act before the Sofia Military Appellate Prosecutor's Office, the investigation was reopened. It was terminated for the last time on March 21, 2000, with a non-indictment act and further appeals before the Sofia Military Appellate Prosecutor's Office and the Sofia Military Appellate Court were turned down. As of October 9, the *ERRC* and the Sofia-based *Bulgarian Helsinki Committee* were planning further legal action.

Ilian Iliev

On October 13, 1999, Mr Ilian Iliev, an 18-year-old Romani man, was shot and wounded in the head by a police officer from the Vidin District Police Department. Mr Iliev and his friends, aged 10-14, were approached by a police car at the dump site near *Vinprom Vidin Plant*, where they were collecting scrap metal. According to Mr Iliev, when a few police officers got out of the car, holding handguns, the boys became scared and ran away. Then, without warning, one of the police officers shot at Mr Iliev, wounding him in the head.

On December 8, 1999, the Pleven Regional Military Prosecutor's Office refused to open criminal investigations against the police officer who had injured Mr Iliev on the grounds that the use of firearms had been in accordance with an act of the Ministry of the Interior. Mr Iliev's appeal of this decision was later turned down by the Sofia Military Appellate Prosecutor's Office and the Supreme Prosecutor's Office of Cassation. According to the legal representatives of the victims, investigations had not been thorough, impartial and complete, as in all three cases impartial witnesses had not been interrogated. (*Drom Foundation*)

• Hate speech and literature in Italy

Around August 23, 2000, the Rome branch of the Alleanza Nazionale (National Alliance – Italy's neo-fascist party) distributed fliers protesting the authorised camp for "nomads" located in Rome's 15th district on the northeast periphery of the city. The fliers state that "Roma from both the Muratella camp and Casilino 700 are not only of different ethnic groups, they are at war amongst themselves." The last paragraph of the flier included anti-Romani statements and alleged that Roma steal daily from Italians and tourists in Rome.

On May 17, 2000, Mr Paolo Frigerio, mayor of the town of Cernusco sul Naviglio, in the province of Milan, publicly announced that he would pay five million Italian lire (approximately 2500 euros) of public local government money to any farmer willing to spray manure on an area where a group of Roma were temporarily residing in camper vans in the town. According to print press and televised media reports, he said that "a bath of manure is the only way to even the score with the Gypsies, an act of justice equal to the manure they leave us when they move on."

The Lega Nord (Northern League), a prominent political party in Italy, frequently uses racist and anti-Romani language in public statements. Mr Umberto Bossi, leader of the Lega Nord, distributed fliers during the campaign for recent regional elections that stated, "If you don't want Gypsies, Moroccans and delinquents in your house, be the master of

Voting at the International Romani Union Congress in Prague, July 27, 2000.
PHOTO: ERRC

your own home in a liveable city and vote Lega Nord." In the town of Voghera, centre-right candidate Aurelio Torriani distributed fliers intended to discredit centre-left candidate Antonella Dagradi with the slogan: "The Gypsies will certainly vote for Antonella Dagradi. Do you want to do the same?" Lega Nord supporters recited what they termed the "Gypsy Prayer" at a rally led by Lega Nord Member of Parliament Mario Borghezio in the same town: "Give us a million a month, the city doesn't have other expenses, put us at the top of the list for a house, because we are nomads, but we are sticking around; but we wouldn't want to be gassed by angry Voghero inhabitants." In regional elections on April 16, 2000, the centre-right and extreme right, including the Lega Nord, garnered a majority. The human rights situation of Roma in Italy is the subject of a forthcoming country report by the *ERRC*. (*ERRC, Il Manifesto, La Repubblica*)

• New leadership of the International Romani Union

The *International Romani Union (IRU)*, the oldest and most-established international representative body of Roma, held its first congress in ten years in Prague, July 24-28, 2000. The *IRU* was founded in 1977 as the successor organisation to the *Comite International Rom (CIR)*, founded in 1971. The *IRU* has an informal consultative status with UNESCO. The last

Congress (number 4) was held in Warsaw in 1990. Delegates attended the Prague Congress from Albania, Australia, Austria, Bosnia and Herzegovina, Bulgaria, Croatia, Czech Republic, France, Ireland, Lithuania, Macedonia, Moldova, Norway, Poland, Romania, Russia, Slovakia, Sweden, Yugoslavia (including Kosovo), Ukraine, United Kingdom, and the United States. Poorly or not at all represented were, notably, Italy, Hungary, Portugal, Spain, and all South American countries. The results of the congress, in brief, were as follows:

First of all, the *IRU* adopted a new charter, expanding the organisation structurally to comprise: Congress, Parliament, Presidium, Court of Justice, President. Secondly, delegates elected the following persons as the new leadership of the *IRU*:

President: Emil Ščuka (Czech Republic)
Vice-Presidents: Stanislaw Stankiewicz (Poland), Viktor Famulsson (Sweden), Nadezhda Demeter (Russia), Florin Cioba (Romania)
General Secretary: Khristo Kyuchukov (Bulgaria)
Treasurer: Zlatko Mladenov (Bulgaria)

Voting for the positions of Vice-President and General Secretary went to second rounds as a result of challenges to first-round voting. Various committees of the *IRU* reported to the general assembly of the Congress. Themes which aroused discussion among participants in the main hall of the congress were, especially, the Romani language and Kosovo. The language committee was reportedly dominated by an argument over the reinvigoration of Romani through the infusion of Sanskrit words. This idea was not very popular during reporting to the main session, but the subject of the Romani language as a whole inspired much emotive speech, with Mssrs Emilian Nicolae and Zoran Dimov speaking of the language as "our treasure" and Mssrs Rajko Djurić and Nicolae Bobu speaking of the need for a "reconstruction" of Romani. The Kosovo committee produced a one-page document with 11 recommendations. Following a speech by Mr Hadžija Zylfi, the Rom presently in the Kosovar administration, the Congress took up a collection for Roma in Kosovo and raised the value of several thousand euros in various denominations.

Czech and international press made much of the heavy use of the language of nationhood used by delegates and organisers. OSCE Officer for Romani Affairs Mr Nicolae Gheorghe, speaking in the Czech Senate on June 28, summed up the Congress as follows: For the first time, Roma have a legitimate and democratically elected leadership, chosen in quite an open and fair way. It is not the best, and not the strongest, but it is legitimate. Now, possibly, Roma can start to overcome the stereotype that its leadership is disunited. Mr Gheorghe noted that this Congress marked a change in the *IRU* from an NGO to a different type of organisation, a partially governmental structure. He noted that the *IRU* had set out in 1971 to achieve recognition as an NGO, and that it had succeeded in that goal and that the 2000 Congress marked a break and the initiation of a new course. He said that politics will be different in the 21st century, and that the primary task ahead was to initiate a struggle for emancipation without territorial claims. *(ERRC)*

• Roma barred from sports centre pool in Yugoslavia

Organisations including the *ERRC* documented on July 12, 2000, that Roma had been banned from using the swimming pool at the Krsmanovac Sports Centre in Sabac, western Serbia. The sports centre is reportedly owned by the chairman of the District Committee of the Serbian Radical Party. On July 8, 2000, following complaints from Roma who were not allowed to use the pool, a group of three Serbs and three Roma, representatives of the *ERRC* and Belgrade-based *Humanitarian Law Center (HLC)* and two Romani NGOs, *Democratic Association of Roma* and *Oaza*, visited the sports center to investigate the allegations. When they tried to buy tickets for the pool, the staff asked the Romani men if they were Roma, and upon receiving an affirmative response, informed them that according to the sports center rules, Roma were not allowed to use the pool.

According to the *HLC*, barring Roma from using the pool constitutes a serious violation of the right to equality and human dignity guaranteed by the constitutions of the Federal Republic of Yugoslavia and Serbia. The sports centre's practice is also in contravention of the International Convention on the Elimination of All Forms of Racial Discrimination and the International Covenant on Civil and Political Rights, to which the Federal Republic of Yugoslavia is a signatory. On July 25, 2000, in cooperation with the *ERRC*, the *HLC* filed a legal action against the owner of the Krsmanovac Sports Center seeking compensation for injury to the reputation and dignity of the excluded Roma, and also requesting that the court order the owner, Mr C.V., to publicise the court's judgement and to apologise publicly. The *ERRC* and *HLC* filed both a civil and a criminal suit; the criminal suit pursuant to Article 60 of

the Yugoslav Penal Code (violation of ethnic equality). The first court hearing of the civil suit was held on September 13. According to the *HLC*, criminal proceedings had not yet been opened as of October 9. (*ERRC, Humanitarian Law Center, Radio Free Europe*)

• Discrimination against Roma by Romania's Ministry of Labour

"We are looking for bodyguards, 1.77 m, military service done, no Roma accepted" was the text of a job announcement, placed in Bucharest's 3rd Sector Labour Force Office. The Bucharest-based Romani non-governmental organisation *Romani CRISS* observed the announcement, posted by a private firm called S.C. Guard, on July 31, 2000. On August 3, *Romani CRISS* filed a complaint with the Romanian Ombudsman's Office. As of October 10, *Romani Criss* had not received an official response from the Ombudsman's office. (*Romani CRISS*)

• United Nations Committee on the Elimination of All Forms of Racial Discrimination and the Committee against Torture express concern about Roma Rights in Slovenia

On August 10, 2000, the United Nations Committee on the Elimination of All Forms of Racial Discrimination (CERD) adopted recommendations on the report submitted by the Slovene government. The committee expressed concern that certain minority groups, including the Roma, do not enjoy the same level of protection from the government as the Italian and Hungarian minorities. The report recommended that Slovenia "ensure that persons or groups of persons belonging to other minorities were not discriminated against; that all appropriate measures be taken to inform the general public about existing judicial remedies for victims of racism and xenophobia in order to encourage them to use such remedies; and that Slovenia strengthen its human rights sensitization and training programmes, especially with regard to law enforcement and military personnel."

In a submission to CERD, the *Helsinki Monitor of Slovenia* (*HMS*) denounced Slovenian government policy with regard to the so-called non-autochthonous Roma (Roma from other ex-Yugoslav republics who settled in Slovenia prior to the secession of Slovenia from the former Yugoslavia). According to the *HMS*, in 1992, the Ministry of the Interior of Slovenia illegally removed permanent residents of non-Slovene ethnic origin, including non-autochthonous Roma, from the permanent residence registrars. An unidentified number of Roma were consequently made administratively non-existent in Slovenia. Along with denial of civil and political rights, according to the *HMS* these Roma are exposed to human rights abuses such as police violence, forced evictions, denial of pre-school and primary school education, and denial of social benefits and humanitarian assistance. The *HMS* noted that for the past nine years, the Slovene government has failed to enact a special law regulating the position and rights of the Romani people, as is stipulated by Article 65 of the Slovene Constitution of 1991, which states that "the status and special rights of Gypsy communities living in Slovenia shall be such as are determined by statute."

At its 24th session on May 12, 2000, the Committee against Torture (CAT) reviewed Slovenia's initial report on its efforts to implement the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Committee expressed concerns about police brutality and treatment of minorities and asylum seekers, including allegations of police ill-treatment and excessive use of force by police against members of the Romani population, reportedly resulting in severe injuries in some instances. Ms Felice Gaer, the Committee expert serving as co-rapporteur to the report of Slovenia, said that the *HMS* had reported maltreatment of Roma, citing the case of Mr Danko Brajdić, a Romani man who was beaten by the police and admitted to the hospital with severe injuries. Also highlighted was the case of Mr Sadik Kemalj, a Romani man and former citizen of Slovenia who reportedly left the country without a passport, and when returning with a Macedonian passport was beaten by the police at the border. The Committee also expressed concern regarding allegations about the excessive use of force by the police in connection with arrests and about the sub-standard conditions in which asylum-seekers were housed in Slovenia. The Committee recommended that Slovenia take necessary steps to prevent the misuse of force by police against members of the Romani population and other minorities, particularly in connection with arrests and detention. (*Helsinki Monitor of Slovenia, United Nations*)

Notebook

Roma Rights of the Child

The Convention on the Rights of the Child (CRC) was adopted by the General Assembly of the United Nations on November 20, 1989, as the Berlin Wall was being pulled down. On the occasion of the ten-year review of states' compliance with obligations under the CRC in order to prepare for a special session of the UN General Assembly on Children in September 2001, this issue of Roma Rights is devoted to the theme of Romani children's rights.

With 54 Articles, the CRC is one of the most comprehensive international rights documents in existence, its language rich and comprehensive, its engagement with the issue of children's rights close to total. All but two countries in the world – Somalia and the United States – had signed the CRC as of the end of 1999. Yet as the material offered by our authors in this issue of Roma Rights indicates, the issue of children's rights remains at the frontier of rights discourse – children have traditionally been a group whose rights are limited. Activists from the non-governmental organisation Save the Children lead the section that follows with an engagement with the topic of child participation and its implications for Romani children and youth. Yet for most of our authors, like the great past illuminators of the hell that can be childhood – William Blake, Charles Dickens, George Orwell, to name only a few – the issue of children's rights has engaged primarily creativity in the description of its abuses, and predominantly abuses by institutions.

In the pages that follow, Jennifer Tanaka, Angéla Kóczé, and Daniella Mercier describe abuses of the right to education – especially segregation, denial of the right to a meaningful education and exclusion. Kathryn D. Carlisle details Italian authorities' ongoing efforts to remove Romani children from their families in Italy, and the testimony section gives voice to one victim of such abuses in Hungary. Marty Rajendran of UNICEF offers suggestions for non-governmental organisations and concerned individuals to participate in raising Roma Rights concerns within the framework of the ten-year review. The ERRC offers a Romani-language version of the Convention on page 83. The official English version is available on the Internet website of the United Nations High Commissioner for Human Rights at: **http://www.unhchr.ch/html/menu3/b/k2crc.htm.**

Romani children in Biala Slatina in northern Bulgaria, April 18, 2000. As in other countries of the region, it has been noted that a higher percentage of Romani women than men have never been to school or drop out before completing the 4th grade, with figures at 29% and 11% respectively according to a forthcoming report by the World Bank. Likewise, overall educational achievement levels are lower amongst Romani girls than boys.
PHOTO: JENNIFER TANAKA

BEST COPY AVAILABLE

Realising the child's right to participate

Federica Donati, Michelle Lloyd and David Simpson*

THE CONVENTION ON THE RIGHTS OF THE CHILD

On the occasion of the 10th anniversary of its entry into force, the UN Convention on the Rights of the Child (CRC) represents a major step forward in thinking about children and their rights. The Convention encourages an attitude which values the child as a citizen, entitled to fundamental rights and freedoms, capable of expressing opinions, participating in life and assuming responsibilities in the family and society.

Article 12 of the Convention:

- States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.
- For this purpose, the child shall in particular be provided with the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

Respect for the opinion of the child, as formulated in Article 12, has also been expressed as one of the four guiding and mutually reinforcing principles of the Convention by the Committee on the Rights of the Child. Children's participation is critical to ensuring that all aspects of the Convention are met; it is vital to ensuring that programmes are designed and resources are allocated to meet children's needs.

The principles of the Convention relating to children's participation foster the development of citizenship whatever the political system might be. Article 29 states that the education of the child should be directed to, *inter alia*, "the preparation of the child for responsible life in a free society" or responsible autonomy. Skills relating to co-operation, mutual understanding, decision-making and social responsibility can only be developed through practice and these skills can be developed, and should start to be developed, early in childhood. When children have this type of experience from an early age they are able to exercise their rights, including later the right to vote, in a responsible fashion.

In this context, the Convention has had a major impact on the way in which adults see children — and children see themselves. The dominant image of children as dependent, weak, passive and the object of rights held by others is being gradually replaced by a new image of the child — that of the child as the subject and holder of rights, and as much more resilient, capable and competent. Although children are still seen as in need of special protection, the Convention has also established that children have important civil and political rights which cannot be ignored. In particular, they have rights which lie at the heart of the concept of citizenship — the right to be involved in decisions which affect them, the right to identity and nationality, and rights to information, expression, assembly and association.

The existence of the Convention and its almost universal ratification by governments around the globe has helped to end the invisibility of children and establish their value in their own right. We now see that children are worth our

* *Federica Donati is the Human Rights Adviser at* Save the Children UK. *She is based in the UK/Europe Region and co-ordinates the "Denied a Future? The Right to Education for Roma/Gypsy and Traveller Children" project. Michelle Lloyd works with Gypsy/Travellers for over nine years. She is based in* Save the Children's *Edinburgh office and has extensive experience in advocacy, research and working with young Travellers throughout Scotland. David Simpson is the Assistant Programme Director of* Save the Children *in Northern Ireland. He was part of the recent Government working group on Travellers in Northern Ireland, under the Promoting Social Inclusion initiative, and is on the executive of* Traveller Movement (Northern Ireland), *an umbrella non-governmental organisation for Travellers in that region.*

attention not just because they will one day grow into adults and then become useful members of society, but because they are valuable and active members of our societies now. This is a major shift and it has made children much more "visible" at a societal level instead of being disguised at family, household, and community levels. Children are now seen as having their own rights and interests which need to be considered alongside those of adults.

This changing image of the child has also encouraged people to see children as active participants in their societies in a number of key ways – socially, economically, culturally and increasingly, politically. It has created an environment in which it has become possible to think of children as citizens – involved in public affairs in their local communities and neighbourhoods, and participating in civil society.

SAVE THE CHILDREN'S POSITION ON CHILDREN'S PARTICIPATION

Save the Children is the UK's leading international children's charity, working to create a better future for children. In a world where many children are denied their basic human rights, it champions the rights of all children to a happy, healthy and secure childhood. *Save the Children* puts the reality of children's lives at the heart of everything they do. Together with children, it is helping to build a better world for present and future generations.

In relation to the child's right to expression, *Save the Children* endorses the approach introduced by the Convention on the Rights of the Child as stipulated in Article 12. "Participation" is a term increasingly used by those working in the area of children's rights to mean children and young people thinking for themselves, expressing their views effectively, and interacting in a positive way with other people; it means involving children in the decisions which affect their lives, the lives of their community and the larger society in which they live. In the experience of *Save the Children*, and that of many others, children show resilience, strength and perseverance in many different contexts including conflict and natural disasters. They work, are conscripted, look after siblings and older members of their families, yet what they know and are capable of is still not always taken into account. Most societies seriously underestimate a child's capacity to take well-founded, rational decisions and continue to question their competence.

Save the Children especially seeks to address the needs and rights of children who are marginalised, disadvantaged and discriminated against. Participation in society is an important part of being a member of that society. Planning and decision-making should take account of the views of all groups, especially groups without power or a voice. However, the exercise of children's participation rights depends on access, ability and the availability of means to exercise those rights. The consequences of participation, and incentives to participate also vary among children, for example in some societies on the basis of gender.

Save the Children Fund UK in Yugoslavia

SAVE the Children Fund UK started work in the Federal Republic of Yugoslavia in September 1993. The primary goal of the Belgrade office is to make children's rights a reality in Yugoslavia through their promotion and advocacy. The Belgrade office of Save the Children also develops services to protect and benefit children, in keeping with the values and principles of Save the Children.

During the past year Save the Children UK Belgrade Office has been active in offering different forms of support to Romani children and their families from both local communities and the internally displaced Romani population from Kosovo – among the most socially deprived members of the generally impoverished population. Apart from extensive distribution of various types of material assistance including food items, clothing and school equipment, considerable efforts were made in the field of early childhood development and pre-school education for Romani children by the Save the Children Non-Governmental Organisation Development Unit. These efforts aimed at preventing the further exclusion of Romani children from mainstream education. This kind of alternative educational support was implemented via partnership with fifteen local Romani non-governmental organisations (NGOs) from seven cities in Serbia. Save the Children assisted these organisations in establishing or making sustainable various pre-school institutions for Romani children. In order to reduce marginalisation and promote the Save the Children approach of "equal opportunities for all children", the active inclusion of Romani children was encouraged through participation in many forms of activities in mainstream society. Save the Children also supported a number of educational projects by local non-Romani NGOs working with Romani children, aiming at improved integration of Romani children into the state school system.

Another Save the Children action in the area of promoting children's rights was the support of a translation of the UN Convention on the Rights of the Child into the Romani language. This was followed by special courses for Romani teachers in

We live in a time of ever-increasing pace of social change; new technologies, social and cultural phenomena are creating very different societies. Children require support in developing behaviour which enables them to face up to new issues and take responsibilities in new situations. Increasing cultural diversity demands an improved ability of young people to understand and work with people of different perspectives and across generations.

Save the Children believes that participation is both a vital process and an end in itself but the fact that it needs to be promoted indicates that for many institutions and individuals, and in many contexts, participation is not a regular feature of everyday life. One example of an area in which the participation of young people is both proving vital and challenging is with *Save the Children*'s work among Travellers in the UK.

Background on the situation facing Gypsy/Traveller children in the U.K.

As a children's rights organisation, *Save the Children* deplores the existence of racism and is acutely aware of the debilitation effects discrimination can have on children's lives and their role as active citizens in UK society.

Romani, Gypsy[1] and Traveller children experience racist behaviour in many settings, both as individuals and collectively. Racism is not always overt and violent. Instead it can be covert and often goes unnoticed in daily life. One teacher in a recent study of Traveller experiences at school in Scotland: "I'm sure there is a bit of name calling but they never complain about it ... they don't tend to come to you and say 'somebody's calling me names' ... they tend to tough it out."[2] This kind of racism is frequently overlooked and rarely reported, but the cumulative effect of such incidents can be devastating, particularly for young people.

Our research and fieldwork experience indicates that many Roma, Gypsies and Travellers and their children are continually discriminated against on the grounds of their ethnicity by a range of community groups, public agencies, individuals, private businesses and central government. Romani, Gypsy and Traveller families still encounter difficulties in accessing basic services that most of the settled community now take for granted. In Northern Ireland, a government health survey in 1989 showed that Traveller children under ten years of age were ten times more likely to die than settled children. In Scotland our casework in the year 2000 still includes cases of pregnant Romani, Gypsy and Traveller women being refused treatment at General Practitioners' (GP) surgeries. Similarly, a *Save the Children* investigation revealed a consistent pattern of rejection and discrimination with 63% of caravan parks refusing accommodation to Traveller families, despite vacant pitches being available, including 50% where the caravan parks were owned by local authorities.[3]

With few exceptions, this kind of discrimination is allowed to pass unchallenged. *Save the Children* observes an ease in society about overt

training to teach Romani children in their native language in a number of elementary schools in Vojvodina. These actions aim at heightening participation by Romani children, since they should be the best promoters and advocates of their own rights in their own communities and in the wider society. In this long and demanding process, co-operation has been secured with relevant Romani and non-Romani organisations focusing on children's rights. Finally, Save the Children *has also acted to co-ordinate efforts by the numerous international humanitarian organisations presently active in Yugoslavia. This coordination initiative aims at providing better and more efficient assistance to local Romani communities in resolving their problems and reducing the manifold hardships with which they are faced.*

The Save the Children Belgrade Office *is determined to include disadvantaged Romani children and their families in its future action planning and to contribute to a long-term improvement of their education status and general living conditions. The* Save the Children UK Belgrade *office can be contacted at:*

Save the Children UK
Beograd
Ljutice Bogdana 20
Federal Republic of Yugoslavia
Tel: (381 11) 36 71 476
Fax: (381 11) 36 71 476
E-mail: scfukbgd@EUnet.yu

discrimination towards the Romani, Gypsy and Traveller community manifested in a range of ways: signs barring Travellers from caravan sites, clearly breaching the Race Relations Act of 1976; refusal of service in licensed premises; comments by residents opposing new Traveller sites suggesting that the local school would be "swamped" by Traveller children or that there would be a rise in crime, etc. There is also subtle, indirect discrimination practised by private agencies and public bodies such as local authorities. Examples include Romani, Gypsy and Traveller families being "encouraged" to attend a particular doctor or school, and the numerous restrictive rules applied to Traveller accommodation which would not be applied to other housing.

Save the Children has noted that many Romani, Gypsy and Traveller families feel they have to accept discriminatory treatment because it is both commonplace and historical, and because there is no effective remedy in the short-term. In our experience, Roma, Gypsies and Travellers in the UK are rarely perceived as being the subjects of racial harassment and discrimination because racism is predominately considered in terms of colour. The few Roma, Gypsies and Travellers who have tried to challenge such attitudes and practices through the courts, using the Race Relations Act of 1976, have found the process expensive and time-consuming with, in practice, the burden of proof for proving that an action was racist falling squarely on the victim's shoulders.

THE VOICES OF YOUNG ROMA IN THE UK

Save the Children has been working with Romani, Gypsy and Traveller children and young people in the UK for many years in England, Wales, Scotland and Northern Ireland. Central to this work has been the active promotion of the right of Romani, Gypsy and Traveller children and young people to express their views. Throughout its work in all four regions of the UK, *Save the Children* seeks to highlight the importance of the involvement and participation of children and young people in all aspects of decision-making which affect their lives and their role as active citizens in society. Some examples of *Save the Children*'s work in the UK are described below.

Scotland

Save the Children in Scotland has been working with the Romani, Gypsy and Traveller community for over 18 years. Published research and family casework clearly indicate that Romani, Gypsy and and Traveller parents and their children regularly suffer discrimination because of their ethnic origins and society's negative view of their culture. In order to advance the right of participation of Romani, Gypsy and Traveller children and young people, *Save the Children* has promoted several initiatives at local, national and international levels.

■ Local

In response to demands from young Roma, Gypsies and Travellers, *Save the Children* has designed and organised several health education courses with teenage Roma, Gypsies and Travellers in rural and urban Scotland. These courses, including day events and residential weekends (where we all go away to a centre and stay overnight or for the weekend), promoted health in a fun and participatory way, providing much needed opportunities to discuss health topics. As one young Traveller said:

> Speaking to the female doctor who came to our group was great; we don't otherwise get many opportunities to ask questions.

Participants worked together to identify issues of concern and develop strategies to address those issues. More recently, some of the early participants are now working as youth workers to deliver the courses, and develop new materials, to young members of their own communities.

■ National

The new Scottish Parliament has responsibilities related to the lives of children and has therefore become a key focus for *Save the Children*'s work with Roma, Gypsies and Travellers in Scotland. We have been actively working to open up avenues whereby young Roma, Gypsies and Travellers can express their own views to, and interact positively with, Members of the Scottish Parliament (MSPs).

In December 1999, to mark ten years of the UN Convention on the Rights of the Child, the non-governmental organisation *Scottish Alliance for Children's Rights* organised the ground-breaking "Open Door" event. Young people from across Scotland, including young Roma, Gypsies and Travellers, were given access to the Scottish Parliament to ask questions of MSP's about the things that really matter to them. The young Gypsy/Travellers quizzed MSPs on issues such as education, bullying, conditions on sites and health. In addition, they demanded to know what the MSPs were going to do to tackle the discrimination against Roma, Gypsies and Travellers. Afterwards one of the young Gypsy/Travellers commented:

> I went to the Parliament building to meet some MSPs so that we could try and get recognised as an ethnic minority group. We don't want anything special. I hope in the near future our rights will be recognised and Gypsies and Travellers will have equal rights with everyone else.

Since that meeting, a young Traveller has been corresponding and meeting with several MSPs, resulting in an invitation for a group of young Roma, Gypsies and Travellers to give a presentation to the Scottish Parliament's Equal Opportunities Committee later this year.

International

Nadia, a young Traveller who has been working as a volunteer for *Save the Children* in Scotland, was recently asked to represent the *International Save the Children Alliance* at the United Nations Commission on Human Rights 56th session in Geneva. Nadia felt this was a unique opportunity to present her views and to try to influence the decision-makers. As Nadia herself explained:

> Adults rarely take young people's views into consideration when making policies and decisions. It should be a basic right to be involved in the decision-making which affects your lives, but achieving that right seems a very long way off. After all it's our future they are discussing. Maybe because I'm young myself, I think this is the way forward. At meetings like this we learn to speak out about our situation and we also learn about other cultures. Also, by being there I could challenge some of the many stereotypes and assumptions about our community — most people learn about us through the media and most of what they see/read/hear is negative. If nothing else, just by being there people learned that I don't have horns coming out of my head!

As well as providing a learning experience for other people, Nadia felt:

> This experience was also great for me personally. It gave me motivation and provided a brilliant learning opportunity. I want to use that knowledge to encourage others, like me, to speak out. I learnt a lot about how decisions are taken and how to try to get change for the better. I know change won't happen overnight but we have got to keep trying and challenging unfair decisions and policies. We aren't asking for anything special, just some respect.

England[4]

In England, *Save the Children* has promoted the right to participation of children and young people through the "Saying Power Scheme Award Holders". This is a UK-wide project funded through the *Millennium Commission, Comic Relief* and *Save the Children*. Young people (aged 16-20 years) who have experienced disadvantage can apply to become a "Millennium Award Holder". If selected, they are funded to work on a project of their choice for one year under the supervision of *Save the Children UK* and a host organisation.

For the third year of the scheme, which is due to begin in September of this year, a young English Romani woman has been selected as an Award Holder for the Midlands. She will be working on a project to raise issues about how lack of access to secondary education and constant discrimination has had an impact on young Roma, Gypsies and Traveller people in their life-choices, especially with regard to employment. She will be raising awareness of the issues within her own and external communities. During the course of the year she will spend time with other Award Holders, who are themselves drawn from a wide variety of backgrounds. This in

itself offers important opportunities for breaking down cultural barriers and challenging stereotypes.

Northern Ireland

Building on the work of the Belfast Travellers Education & Development Group's community worker apprenticeship scheme, the Northern Ireland *Save the Children* programme has recently provided funding over a three year period to support Paddy Mongan, a young Belfast Traveller[8], in the development of an education project. It aims to work with local Traveller communities in West Belfast. Paddy is one of three young Travellers who have graduated over the past two years from the above scheme. Each of these trainee community workers has now taken on a specific focus for development work.

Recently, Paddy has been carrying out focus group research with Traveller children at both primary and post-primary level, about their experiences of education and aspirations for the future. A key issue for Travellers in Belfast is the existence of a Traveller-only primary school (St. Mary's) in Northern Ireland, despite the general Department of Education policy which favours integrated education between Travellers and settled children. Paddy's project aims to explore the issues around this, and the broader issues of educational expectations, with both Traveller children and their parents. A key objective for his project is the establishment of a Young Travellers Education Forum in Belfast. *Save the Children* has been involved in the Board of Management of Belfast Travellers Education & Development Group (BTEDG) for several years, and is also represented on a small advisory group working directly to support Paddy with his project.

As in England, one of Northern Ireland's Saying Power Award Holders this year will be a young Traveller from West Belfast. Dean Donahue's project will provide coaching in a variety of sports as a medium to bring together young Traveller and settled people, and to provide opportunities for them to explore issues of difference and commonality. As Dean explains it: "By being an Award Holder I will gain the skills, knowledge and understanding of the work that needs to be done with young people – especially Travellers – and how I can create opportunities for them to express themselves."

A further important project promoting children's right to participation was the "Real Deal". This was a consultation project undertaken by a range of agencies including *Save the Children*, involving 150 young people from England, Scotland, Wales and Northern Ireland. The project, which was completed and published in 1999, aimed to find out what young people thought about different aspects of their lives, particularly in relation to how government policies and practice, as well as the actions of members of the wider society, affected them. Groups met to discuss a range of topics, including education, employment, culture and identity, leisure and recreation, transition to adulthood and government and politics. In Northern Ireland, one of the consulted groups were young Travellers from West Belfast.

Following on from Real Deal, *Save the Children* in Northern Ireland has now commissioned a participative research project with young Travellers in Belfast and Derry. The new project will partly draw on the existing work carried out for the Real Deal report. Its aim is to facilitate Travellers in articulating the needs and aspirations of young Travellers in the Northern Ireland in the context of current statutory policy for the benefit of their own communities as well as the wider society.

A researcher will facilitate a series of discussion groups with Travellers on their experiences on a range of issues, such as education, employment, family life (perceptions of parenting/ hopes for their children), nomadism, culture and identity (including language), accommodation and health. These themes will be decided in partnership with the young Travellers. The young Travellers will produce a report which will illustrate their experiences of being Travellers. A website will also be developed together with a photographic exhibition of Traveller life as seen through the eyes of young Travellers.

As well as producing materials on Traveller life, the project will provide policy makers with information which will inform them of the reality of young Travellers' lives. A policy recommendation paper will also be developed, aimed at the statutory sector, drawing on findings from the research. The project, by responding to a range of forthcoming policy opportunities, will provide opportunities for young Travellers to engage directly with policy makers and practitioners.

Under-pinning the project is the premise that there is little point in settled people defining young Travellers' lives when the capacity is now in place for Travellers to do so themselves. In this context, the absence of any work on/with young Travellers makes the research potentially very important and therefore all the more difficult and interesting.

Save the Children therefore sees projects like Paddy's and the follow-up to the Real Deal research with Travellers as critical at this moment in Traveller history in Northern Ireland for articulating the views of Travellers clearly and with growing confidence. This represents probably the best opportunity ever to make significant advances in improving the quality of life for Travellers, and securing a greater acceptance and recognition of their culture – including nomadism. A strong voice from Travellers themselves – largely missing to date in Northern Ireland – is the new element which may ultimately make a difference.

CONCLUSION

Children's citizenship is now a growing reality. Children's citizenship is about encouraging children's responsible participation in civil society, democracy and public affairs. In order for this to happen certain essential pre-conditions have to be in place. The Convention on the Rights of the Child and other human rights treaties clearly state that these include a range of important civil and political rights, such as access to information, the right to be heard and freedom of association, religion and expression.

Despite considerable obstacles to its realisation, the number of initiatives and examples of good practice is now increasing steadily. The methods by which children's citizenship can be encouraged are now becoming clearer, and training and other materials are now beginning to be published which will help to disseminate them more widely. However, a number of concerns remain. First, there is the importance of generalising current work so that all children have the opportunity to experience and practice their citizenship rights. Secondly, there is the need to reinforce the practice of citizenship in the public arena with positive change in the family and school. Thirdly, much more work is needed to increase awareness and action on the broad range of children's civil and political rights.

Societies, democracies, schools and families will all benefit from the increased participation of children in decisions affecting their lives. This means involving all groups of children, without discrimination, in those decision-making processes that affect their lives. *Save the Children* considers children's participation key to all its work. We therefore will continue to work with Roma, Gypsies and Travellers to ensure the voices of younger members of the community are heard at local, national and international levels and will encourage other agencies and institutions to adopt a similar approach.

For further information on the above projects and on *Save the Children*'s work, please contact:

- Michelle Lloyd, Development Worker, Traveller Programme, Scotland Programme at **m.lloyd@scfuk.org.uk**
- Margaret Thompson, Assistant Programme Director, England Programme, West Midlands at **m.thompson2@scfuk.org.uk**
- David Simpson, Assistant Programme Director, Northern Ireland Programme at **d.simpson@scfuk.org.uk**
- Richard Powell, Programme Director Wales, at **r.powell@scfuk.org.uk**
- Federica Donati, Human Rights Adviser, UK/Europe Region at **f.donati@scfuk.org.uk**

ENDNOTES

1 For the most part, the term "Gypsy" in Britain is self-ascribed.

2 Lloyd G., *et al*, 1999, *Travellers at School: The Experience of Parents, Pupils and Teachers*, p.6.

3 Lloyd, M and Morran, R. 1997 *Failing the Test*, Save the Children (Scotland).

4 The information in this section was provided by Margaret Thompson, Assistant Programme Director, England Programme, West Midlands.

5 In Ireland the term Traveller is the description of choice for the community of people recognised as Irish Travellers – it does not have negative connotations for them.

Parallel worlds: Romani and non-Romani schools in Bulgaria

Jennifer Tanaka*

ACCORDING to the Bulgarian Constitution, education is compulsory for all children under the age of sixteen. Primary and secondary education is to be free for all citizens. The Bulgarian Law on Public Education bans discrimination in the field of education at Article 4(2). Nevertheless, the 1999 "Welcome Pupils or Gypsy Spring" documentary, by the non-governmental organisations CEGA and NOVIB, states that of an estimated 800,000 Roma in Bulgaria, about 8% are illiterate; 37% have a 4th grade education; 46% have completed primary education; 8% have finished secondary education, and less than 1% have university degrees.

There are deep-rooted and widespread negative attitudes toward Roma in the majority society and these often find expression in the schooling of Romani children. Issues such as the maintenance of lower standard vocational-oriented programs in ethnic Romani schools; transfer of Romani students to "special schools" for the mentally disabled; segregated classes for Roma and the exclusion of Romani children from ethnic Bulgarian schools and classes; and teachers' neglect of hostile acts by non-Romani students toward their Romani classmates are some of the manifestations of such attitudes and prejudices.

Romani primary school in the town of Kurdjali. As in other Romani neighborhood schools, some students begin the first grade without sufficient knowledge of the Bulgarian language, there is a lack of books and other school materials, and health problems amongst children contribute to absenteeism.

PHOTO: JENNIFER TANAKA

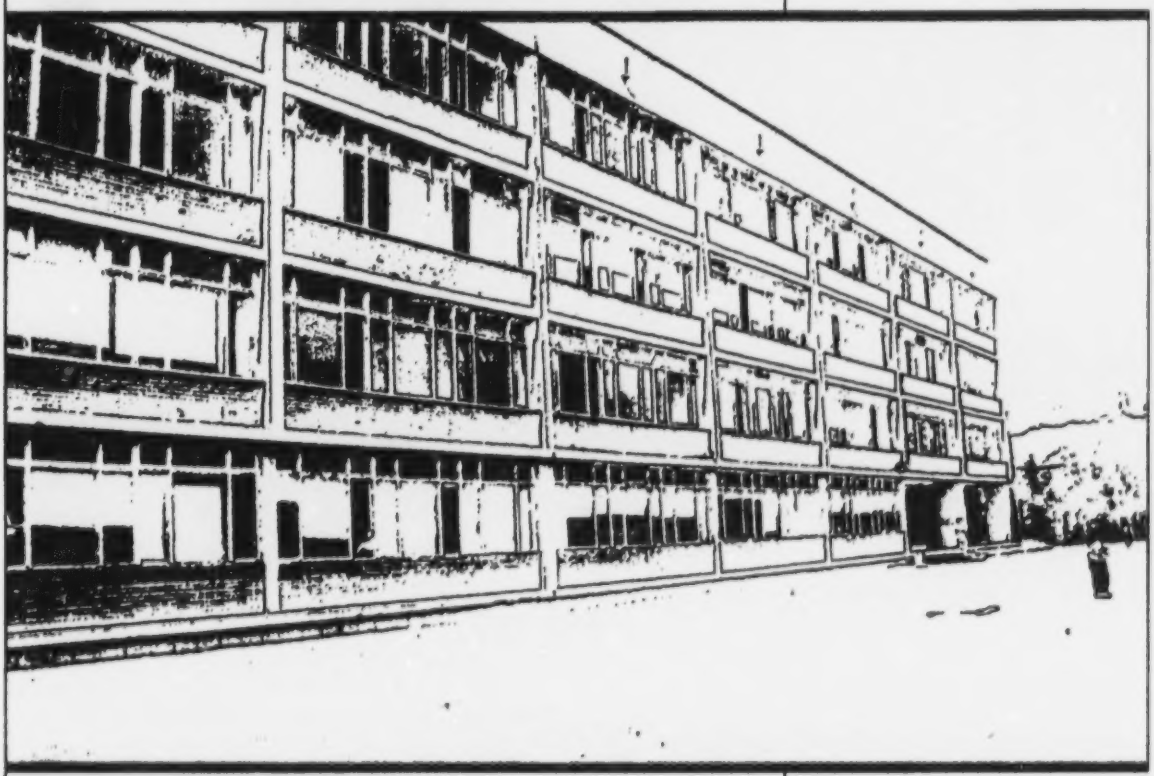
* * *

In the 1950's, a policy of forced settlement of nomadic and semi-nomadic Roma was accompanied by attempts by authorities to increase schooling of Roma. A

* *Jennifer Tanaka has been a consultant to the* Open Society Institute *in Budapest. These photos and information were collected for the forthcoming report "Roma in the Educational System of Bulgaria – A Problem Analysis", prepared by the author for the* Institute for Educational Policy *of the* Open Society Institute, Budapest.

BEST COPY AVAILABLE

number of new schools were built in the Romani settlements, and the initial results are generally viewed as having had a positive impact on literacy among Roma. However, from the mid-1960's, the quality of education offered by these Romani neighbourhood schools declined. Many Roma attended irregularly or dropped out, and a number of schools adopted an increased focus on vocational skills, replacing



courses such as Bulgarian language, mathematics, foreign languages and natural sciences. The education in these schools did not adequately prepare students for advancement to higher levels of education. Until the early 1990s, many such schools were explicitly "special schools for mentally disabled children". Today, a number of formerly "special" schools have become nominally standard schools without an explicitly vocational profile, but in reality, the character of these schools has not much changed since academic standards were reduced in the 1960s.

Generally schools in the Romani neighbourhoods are old, run-down buildings, often with barbed wire on the windows, broken windows, paint peeling off the walls, and classrooms with little decoration or facilities. Some schools have toilets located in small cement structures away from the main building, and in some cases these are also used by other members of the community. An estimated 70% of the Romani children in Bulgaria attend such schools, where the quality of education is generally lower than other non-Romani populated schools. Owing largely to the fact that attending kindergarten costs money in the form of fees, and that many Romani children come from poor families, only an estimated 10-12% of Romani children attend kindergarten, and many Romani children start the first grade without adequate knowledge of the Bulgarian language. There is no state programme to address this issue. Romani pupils often lack textbooks and other school materials, and some complain openly of hunger.

The segregation of Roma into "Gypsy schools" and separate classes has been recognised in the governmental "Framework for a Program for Equal Integration of Roma in Bulgarian Society", adopted by the Council of Ministers in April 1999.[1] The number of ethnic Bulgarian children beginning school each year is declining, meaning that there is often adequate space in the local Bulgarian schools. While there have been some local decisions to transfer Romani students to mostly ethnic Bulgarian schools, these have also been accompanied by incidents in which this

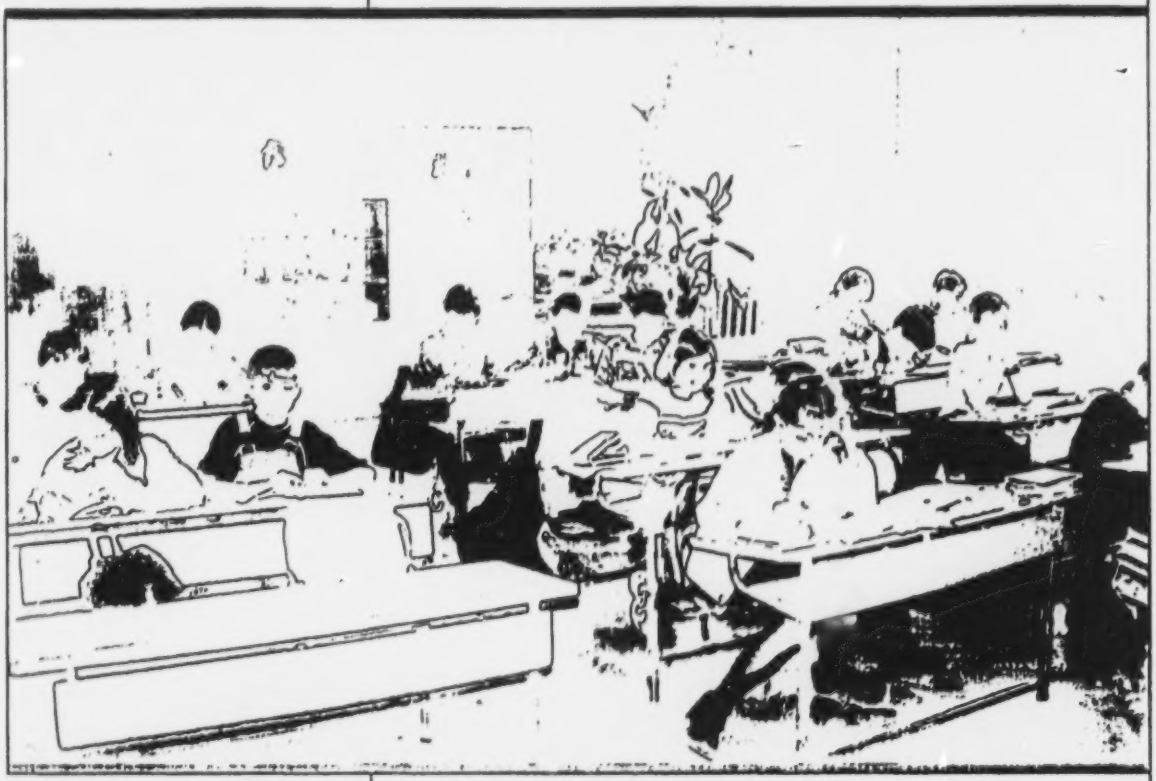
A top or 'elite' school in the town of Kurdjali specialising in foreign languages. There is an increasing trend in the Bulgarian education system for profile-oriented schools, either beginning from the primary level or at the pre-secondary level. Usually students are required to pass an entrance exam, and the families are expected to buy the textbooks required for class subjects. Romani representation in these schools is practically zero, as Roma often lack sufficient preparation to pass entrance exams, and Romani parents often lack sufficient income to cover the costs of school books and materials needed for the classes.

PHOTO: JENNIFER TAWAKA

BEST COPY AVAILABLE

desegregation effort was met with protests from Bulgarian parents and even withdrawal of their children from the school.[2]

In practice, the *de facto* segregation of Romani children in the schooling process means that they are confronted with unequal treatment at an early age. The high rates of unemployment amongst Romani adults also contribute to an unequal start as the rising costs of kindergarten fees means that fewer Romani children attend kindergarten than in previous years. Kindergarten is important for laying the foundation for the child's future education. Currently there is no effective social policy in Bulgaria to support the participation of children from low-income families and guaranteeing their ability to attend kindergarten.



Above, a class in a profile-oriented school, specialising in foreign languages, in the town of Kurdjali. In marked contrast to the Romani neighborhood school (opposite), the building is in good condition, the rooms are well lit, there are pictures on the walls, and books on the desks of the students.
PHOTO: JENNIFER TANAKA

Other critical stages are the transition from the 4th to the 5th grade, and the 8th to the 9th grade. In some cases, this involves a transfer from one school to another (i.e. the Romani neighborhood school to a mixed school). Where the quality of education is lower in the Romani school, students have difficulties upon transfer. Without extra support and attention, this often results in humiliation, frustration and eventual withdrawals.

Special schools

In addition to the lower quality education in the Romani neighbourhood schools, Roma are also over-represented in the so-called "special schools" for children with mental disabilities. This is a relatively well-known problem in Bulgaria, but there have been no significant efforts to halt current practices. For a number of years, it has been observed that the decrease in state subsidies for school-age children was accompanied by a rise in the proportion of Romani children in special schools. According to one report, by 1995 approximately one out of every three pupils was Romani (see Tomova, 1995: 61).

In 1999, it was reported that there were 274 special schools and institutions located both in large towns and some remote country locations.[3] Romani representation in these schools is unofficially estimated at about 70%. Similarly, the Regional School Inspector in the northern county of Montana estimated that more than 60% of the children in the county's special schools were of Romani origin, from families confronted with extremely difficult economic situations.[4]

BEST COPY AVAILABLE

Romani children's insufficient knowledge of the Bulgarian language may lead to their transfer to special schools, though the current economic difficulties confronting the majority of Romani families mean that the free food and materials provided to students in these schools can also be a motivating factor for parents. All special or auxiliary schools are financed fully by the Ministry of Education, unlike normal schools, which also receive partial funding from local government budgets. Nevertheless, at the end of the funding process, special schools are generally much wealthier than normal schools. For example, in comparing the budgets for all needs (materials, books, repairs, etc.), excluding teachers' salaries, one Romani neighborhood school I visited had about 1,000 Bulgarian leva (approximately 600 euro) for a school of some 650 children, while a special school in the same town had about 50,000 Bulgarian leva (approximately 30,000 euro) for some 75 children.[5]

In the Romani neighborhood school in Kurdjali, 73 out of the 610 Romani and Turkish-Romani students dropped out or had to repeat the same grade in the 1998/1999 school year. Out of about 80 students who started, some 40 students completed the 8th grade in 1999.
PHOTO: JENNIFER TANAKA

The official procedure for determining whether a child should be placed in a special school involves either a committee comprising a psychologist, an educator and the child's teacher (appointed by the regional educational office), or by the issuing of a medical certificate on the child's psychological state. However, the exams are not culturally sensitive, for example, as they take place only in the Bulgarian language. There is also no clear criteria for determining the mental health of the child, and according to NGO experts working in the field, a decision is often made during assessments as short as 2-3 minutes. Finally, the commission itself is not independent, since one member of the commission is often the director of the specific school.[6] In the context of the current demographic trend in Bulgaria, it is clear that a number of schools will have to be closed, as the school aged population has decreased significantly. Therefore, decisions may be influenced by an interest in keeping schools open and maintaining jobs.

Local, regional and central government authorities have recognised that there are Romani children in these schools who are not mentally handicapped.[7] However, as no steps have been taken to correct the situation, there seems to be a lack of real political will to do anything. One foreseen change is the intention to transfer fiscal responsibility of the schools to the local governments. These may be set on reducing spending and

therefore close some of the schools. However, the impact of such developments on the misplacement of Romani children in special schools is as yet unknown.

The way forward

The adoption of the "Framework for a Program for Equal Integration of Roma in Bulgarian Society" was an important first step in identifying tasks to improve the overall situation of Roma in Bulgaria, including those in the field of education. The government is now faced with making the appropriate legislative, administrative and institutional changes in view of implementing the respective policies.

While economic conditions do influence the situation – for example, in terms of family income, long-term unemployment, public services and central and local government expenditures – genuine political will is necessary for the institutionalisation of Roma-related policy provisions, and the mainstreaming of Romani issues into wider processes of educational system reforms and developments. There is a need to consider both the Romani children already in school, and those who are not attending at all.

A well-planned, well-communicated and carefully monitored process of desegregation should take place. Otherwise, it is difficult to foresee that the current situation of Roma in the Bulgarian educational system will undergo significant changes. The desegregation process should include preparatory activities for Romani and non-Romani students and parents, teachers, and school administration. Roma must be accepted in the schools by school administration and majority population parents; teachers need to be more informed about Romani culture, better prepared to work with Romani students and to address issues of inter-ethnic classroom relations; and Romani families and students must be prepared for their more meaningful engagement with majority people and institutions.

Adequate preparation is necessary for these changes. If Romani schools are immediately closed, and the Roma and ethnic Bulgarian schools not prepared to accept the students and to address inter-ethnic relations, the effects could mean even greater exclusion of Roma from schooling institutions. Romani culture, history and language should have its place within the national education curriculum, and there should be widespread access to programs that facilitate and support the participation of Roma in higher education.

NGOs in Bulgaria have to date played a leading role in identifying local problems and methods for working with Romani students, families and local schools. While such grassroots approaches should undoubtedly continue to play an important role, the situation calls for government-led systemic changes to provide Roma with equitable educational opportunities.

Placing Romani children in remedial "special schools" for the mentally disabled

AROUND Central and Eastern Europe, Romani children are commonly recommended for placement in so-called "special schools" for mentally handicapped children on the basis of psychometric intelligence tests. Intelligence Tests commonly used with Romani Children in Central and Eastern Europe include the Stanford Binet Intelligence Test, the Wechsler Intelligence Scale for Children, and Coloured Progressive Matrices. On bias in testing, see Grossman, Herbert, (1995) Special Education in a Diverse Society, Springfield, Illinois: Charles Thomas Publishers. On the disadvantages and limitations of standardised assessment procedures, see:

- *Executive Committee of the Council for Children with Behavior Disorders, "Best Assessment Practices for Students with Behavioral Disorders: Accommodation to Cultural Diversity and Individual Differences"* Behavior Disorders, *14(4), 1989, pp. 263-278.*
- *Hilliard, A. G. III, "Alternatives to IQ testing: An Approach to the Identification of Gifted "Minority" Children" ERIC ED 148 038, 1976.*
- *Howe, H., & Edelman, M.,* Barriers to Excellence: Our Children At Risk, *Boston: National Coalition of Advocates for Students, 1985.*
- *Holtzman, W. H. Jr., & Mendoza, P., "Decision Models to Assist in Assessment Procedures for Bilingual Exceptional Children" ERIC ED 252 986, 1984.*
- *Reichman, S., & Zyskowski, G., "Testing Approaches and Uses with Bilingual, Special Education Students" ERIC ED 300 944.189, 1988.*
- *Rydell, L.,* The Least Biased Assessment: Implications for Special Educators, *Sacramento, CA: Resources in Special Education, 1990.*

On reducing the inappropriate referral of students to special education, see:

- *Benavides, A., "Guidelines for the Implementation of the Initial Screening for Students from a Non-English Background", ERIC ED 291 176, 1986.*
- *Carter, J. and Sugai, G., "Survey on Pre-Referral Practices: Responses from State Departments of Education",* Exceptional Children, *55(4), 1989, 1-3.*
- *Chalfant, J. C. and Van Dusen Pysh, M., "Teacher Assistance Teams: Five Descriptive Studies on 96 Teams",* Remedial and Special Education, *10(6), 1989, 49-58.*

REFERENCES:

- Creating Effective Grassroots Alternatives Foundation and NOVIB, "Welcome Pupils or a Gypsy Spring" video, 1999.
- Council of Ministers of the Bulgarian government, "Framework for a Program for Equal Integration of Roma in Bulgarian Society", April 1999.
- Organisation for Security and Cooperation in Europe, High Commissioner on National Minorities, "Report on the Situation of Roma and Sinti in the OSCE Area", the Hague, the Netherlands, 2000.
- Penn, Helen, "Integrated Education in Bulgaria: Situational Analysis", Commissioned by *Save the Children Fund UK*, March 1999.
- Tomova, Ilona, "The Gypsies in the Transition Period", International Center for Minority Studies and Intercultural Relations, 1995

ENDNOTES

1 See Council of Ministers of the Bulgarian Government, "Framework for a Program for Equal Integration of Roma in Bulgarian Society", Section V. Section V, on "Education" is reproduced, in its entirety, immediately following this article.

2 Examples include an incident in Yambol, according to a forthcoming report by the UK non-governmental organisation *Save the Children*.

3 See Penn, Helen, "Integrated Education in Bulgaria: Situational Analysis", commissioned by *Save the Children Fund UK*, March 1999, p.7.

4 Interview by the author with Montana School Inspector, April 13, 2000.

5 Interview by the author with school officials in Vidin, April 14, 2000.

6 According to the *Bulgarian Helsinki Committee (BHC)*, a Sofia-based non-governmental organisation, the category referred to as "special schools" in Bulgaria encompasses a range of schools and other institutions falling under the competence of either the Ministry of Education or the Ministry for Social Affairs. These include schools for moderately and severely mentally disabled children, so-called "auxiliary schools" for the mildly mentally handicapped (boarding and day academies), educational boarding schools (an institution for juvenile delinquents), and orphanages and children's homes. According to the *BHC*, all of these schools and institutions have a marked over-representation of Romani children (interview by the author, September 15, 2000).

7 Interviews by the author with officials in Lom, Montana and Sofia, April 2000.

- *Fuchs, D., Fuchs, L. S., Bauhr, M. W., Fernstrom, P., & Stecker, P. M., "Prereferral Intervention: A Prescriptive Approach", Exceptional Children, 56(6), 1990, 493-513.*
- *Graden, J. "Redefining 'Prereferral' Intervention as Intervention Assistance: Collaboration Between General and Special Education", Exceptional Children, 56(3), 1989, 227-231.*
- *Heller, K. A., & Holtzman, W. H.,* Placing Children in Special Education: A Strategy for Equity, *Washington, DC: National Academy Press, 1982.*
- *Ortiz, A. A., "Assessing Appropriate and Inappropriate Referral Systems for LEP Special Education Students", In* Proceedings of the Second National Research Symposium on Limited English Proficient Student Issues: Focus on Evaluation and Measurement, *Vol. I. Washington, DC: U.S. Department of Education, Office of Bilingual Education and Minority Languages Affairs, 1992.*
- *Ramage, J. C.,* Policy and Alternative Assessment Guideline Recommendations: A Report of the Larry P. Task Force, *Sacramento, CA: California State Department of Education, 1992, 25.*
- *Reschly, D. J., "Minority MMR Overrepresentation and Special Education Reform",* Exceptional Children, *54(4), 1988, 316-323.*
- *Olion, L., & Gillis-Olion, M., "Assessing Culturally Diverse Exceptional Children",* Early Childhood Development and Care, *15, 1984, 203-232.*

An evaluation of the role of psychologists in placing Romani children in schools for the mentally handicapped can be found in European Roma Rights Center, A Special Remedy: Roma and Schools for the Mentally Handicapped in the Czech Republic, *Country Report Series No. 8, Budapest, 1999, pp. 49-61. This bibliography was graciously provided by Herbert Grossman[1]*

[1] *Herbert Grossman was trained in the United States as a teacher, clinical psychologist and neuropsychologist. He has taught at sixteen institutions of higher education and has authored ten books including* Ending Discrimination in Special Education, Special Education in a Diverse Society, *and Achieving Educational Equality: Assuring All Students an Opportunity to Succeed in School.*

The Romani neighbourhood school "Georgi Bamkovski" in Montana, April 13, 2000. Out of an estimated 200 Romani children of kindergarten age, only 20-24 currently attend the local school, in part because of a lack of space. One teacher stated that many children are absent owing to health problems. The lack of school materials means that four children share one A4 sheet of paper for their drawing exercises.
PHOTO: JENNIFER TANAKA

In April 1999, the Council of Ministers of the Bulgarian government approved a "Framework for a Program for Equal Integration of Roma in Bulgarian Society" delineating the tasks for Bulgarian government policy to address in the area of Romani issues. Advocacy groups now have important work ahead in ensuring that the Framework is implemented. The ERRC is reprinting herewith the section concerning education. The unofficial translation below was provided by the Sofia-based non-governmental organisation Human Rights Project (HRP). *A full text of the Framework is available from the* HRP at: **hrproject@mbox.cit.bg**

Framework for a program for equal integration of Roma in Bulgarian society

Council of Ministers of the Bulgarian Government

V. Education

A system of factual segregation of Romani children in the so-called "Gypsy schools" with an emphasis on vocational training was inherited from the previous regime and remains at the present. Today we witness a tendency to form separate segregated classes of Romani children at schools. The low quality of the education that Romani children receive in these conditions, general discrimination, poverty, lack of any current programs which should compensate for the insufficient knowledge of Bulgarian language and the differences in ethnic culture have all led to an avalanche growth of absenteeism and drop-out rate of Romani children from school before they have completed their secondary education.

The following steps must be taken to overcome the disadvantaged position of Romani children in the educational system:

1. Desegregation of Romani schools

A long-term strategy must be developed for the removal of segregated Romani schools in Romani areas and decisive measures taken to ensure free admission of

BEST COPY AVAILABLE

Romani children to the "normal" schools, and to prevent segregation of Romani children into separate classes.

The reorganizing of the so-called "Gypsy schools" is a long process which will take time and effort. Meanwhile we must work on improving the quality of educational standards in these schools.

Some necessary steps to be taken in this direction are:

a) Assistance and encouragement of the introduction of preparatory classes for Romani children who do not speak Bulgarian;
b) Introduction of general integrated educational curricula at Romani schools and excluding early vocational training classes from the curricula;
c) Stimulation of the employment of teachers with adequate qualification and experience and dismissal of teachers with no university degree or teaching qualifications;
d) Introduction of the position "assistant teachers/instructor" for people from the Romani community who will assist Romani children at school, and provision of special training for these assistant teachers/instructors;
e) Free access to information and consultations for low income families and families in poor living conditions. Such families should be entitled to free meals in the school canteens, to free school textbooks, books and other school materials.

2. Elimination of the practice of sending Romani children to be educated in "special" schools for children with disabilities

A high percent of Romani pupils are being sent to "special" schools or assigned to a "special" school curricula as they are assessed unable to cover the general school curriculum. This is a violation of their right to receive equal education. The mechanism that allows cultural differences of Romani children and their lower social status to be classified as mental retardation and educational disability is deeply discriminatory. It is necessary that in the short term these practices of social exclusion be terminated.

3. Counteraction to manifestations of racism in the classrooms

Romani children are exposed to various forms of bad treatment and humiliation in schools. Negative attitude of teachers and schoolmates towards Romani children is also a factor that leads to unwillingness of these children to attend classes. The Ministry of Science and Education must develop educational programs for ethnic tolerance for teachers. Everyone – teachers, parents and pupils should receive special training on counteracting racism in schools. Racist acts in the classroom must be sanctioned.

4. Providing the opportunity to study Romani language at school

The study of one's mother tongue is a basic human right. It is guaranteed in the Bulgarian Constitution. However, the right of Roma to study their mother tongue has been constantly violated. The study of one's mother tongue as a subject limits the practical implementation of the right to study one's mother tongue. Romani language must become an optional school subject on the general national curriculum.

One major obstacle in the study of the Romani language in school is the shortage of teachers who are capable to simultaneously teach and promote this process. For this reason "Romani language and culture" should be introduced as a second optional major at universities for teachers. It should be introduced especially at Sofia University where not only university students studying to become teachers but other students whose future occupations shall involve working in the Romani community can choose to study Romani as a second major.

5. University education for Roma

The long-term policy of segregation of Romani pupils in schools and their reduced opportunity to complete secondary education like the rest of Bulgarian citizens has led to a shortage of qualified specialists in various professional fields within the Romani community. The percentage of Roma with university or college education is very low. These negative results stemming from discrimination against Roma in the field of education can be overcome by providing conditions/possibilities for Roma to be admitted at universities by, for example, organizing preparatory courses for Romani candidate students, etc. The Romani community must be well informed about the procedures and requirements for receiving university scholarships.

6. Programs for Romani adults in literacy and qualifications

Romani children and the right to education in Central and Eastern Europe

Angéla Kóczé*

PUBLIC education plays a crucial role in society. In particular, it is one of the most powerful factors in the formation and change of minority-majority relations. Powerful social changes can be rendered by means of education. Unfortunately, Roma are often deprived of the formal education which could be a meaningful tool for their integration into European society.

The problems of access to education for Roma are complex, and the lack of adequate education has a profound and lasting impact on Romani communities and individuals. Throughout the region of Central and Eastern Europe today, Romani unemployment is extremely high: as much as 70-100% in some areas. The socio-economic status of Romani communities has adverse effects on the ability of individual Roma to maintain a home, on health in the community, and on school attendance. Many Romani children, just like children in the Third World, are forced to work alongside their parents in farming, scrap collection, trading, and in the informal economy. Those in urban areas may drift towards delinquency, given the poor socio-economic circumstances of their households. Lack of socio-economic opportunities results in increasing welfare dependency. A sense of hopelessness pervades these Romani communities.

Racism, prejudice, and hostility against Roma are often openly tolerated in the region. Central and Eastern Europe is today characterised by racism against Romani children in classrooms, by both students and teachers. Many Romani parents report the real danger of skinhead violence when sending their children to school. Teachers and local authorities often do not guarantee Romani children's safety. Most Romani children feel isolated in the classroom and neglected by their teachers. No wonder Romani children drop out in large numbers even before completing primary education.

In the last decade, the ability of Roma to claim basic rights has deteriorated dramatically. It is precisely these rights that tend to determine whether Romani communities will be viable in the future — viable enough to exercise their civil and political rights freely. Though there are serious issues related to the provision of Romani children's education in Western Europe[1], I will focus on the post-communist countries, where the majority of Roma live today. This brief article will describe problems of access (or lack thereof) to quality education and offer some recommendations for improvement.

The education of Romani children in the past

The lack of access of Romani children to quality education in the region is the result of the particular and complex history of state policy in each country. The legacies of assimilationist or oppressive policies in the Habsburg and Ottoman Empires in Central and Southeastern Europe have had profound and lasting consequences for such issues as language preservation and identity of minority populations such as the Roma. In Romania, which today has the largest per capita Romani population, slavery of Roma in the Wallachia and Moldavia regions only ended in the late 1800s. And it would be negligent not to mention the greatest tragedy of the 20th century for Roma, the Holocaust, or *Porrajimos*, in Romani, an event which resulted in the destruction of whole Romani communities, and which is estimated by some as having resulted in the deaths of over half a million Roma.

Following the Second World War, states in Central and Eastern Europe were further centralised as the communist parties became hegemonic. During this period, Romani communities were seen to be in need of integration into the larger society and were subjected to clumsy state policies. Though these resulted in significant improvements in material and social status, such as, for example, a guaranteed job and loans for housing, as well as a gradually increasing rate of school attendance for Romani children, the socialist states tended to be hostile towards the maintenance of Romani identity. It was at this time that a system of differential learning began in Central Europe: one for Romani children (many of whom grew up speaking Romani rather than the national language), who were stigmatised as educationally deficient, and

* *Angéla Kóczé is Human Rights Education Director at the European Roma Rights Center, as well as the Council of Europe's representative for Hungary for their Specialist Group on Roma/Sinti Issues.* *This article is adapted from a statement presented to the United States Congress in June 2000. Nidhi Trehan assisted in drafting the statement.*

another, far superior, for non-Romani children. Those Romani children who attended the same schools as non-Romani children were in many cases sent to separate classes. In other instances, Romani children were placed on one side or in the back of the classroom, while non-Romani children were placed on the other side. This system of segregated education has continued with some modifications to this day.

POST-COMMUNIST SEGREGATION

Since 1989, Romani children have faced, to an extreme degree, a number of problems in the educational system. The cornerstone of these problems is segregation. At present, society in Central and Eastern Europe has become increasingly polarised, and this has resulted in growing segregation of Roma in the region.

Exclusion from the educational system. In many cases, mainstream schools do not accept Romani children for enrolment (in great part due to pressure by non-Romani parents), and re-direct them to schools known locally to be "Gypsy schools". Another form of exclusion is restrictive legislation. For example, a June 1995 Romanian law on education prohibits children who have dropped out of the educational system for more than three years from resuming their studies. Furthermore, in Romania, children are rejected from schools if they do not have local residence permits. Many Romani children do not possess these permits and are therefore excluded from education. In southeastern Europe, the results of the previous decade's wars, both the internal disputes within former Yugoslavia, and the NATO bombing of Yugoslavia, have resulted in massive internal displacements and rights deprivation for thousands of Romani children. Many Romani families now live in a legal limbo, and their children are deprived of educational possibilities.

Schools in Romani settlements. Throughout the region, historically the Romani population has been segregated. This continues to be manifested today in the spatial segregation of Romani housing in Central and Eastern Europe: all over the region Roma live in separate settlements or shantytowns on the edges of villages and towns. Though the socialist regimes of the region attempted to provide better housing for Roma and to integrate them into cities, in many instances they were not successful in overcoming society's prejudices. The segregation of Romani children, already in place under the socialist regime, has been exacerbated by the liberalisation of the educational system whereby parents can choose to place their children in schools with very few Romani children or none at all.

The so-called "Gypsy schools" are situated in or near Romani settlements and have a majority of Romani pupils. In Bulgaria, for example, according to some NGO estimates, more than 70% of Romani children reportedly attend such schools. Generally, schools in Romani settlements have poor infrastructure, school buildings are substandard, toilets are unhygienic, etc. In addition, the teaching staff at these schools is often of poor quality and unmotivated to help with the children's development.

Segregation in separate classrooms and school facilities. Even in those schools in the region where Romani and non-Romani children share their social space, there may be separate classes and/or separate facilities for Romani children. In 1997, for example, in the eastern Hungarian town of Tiszavasvári, 17 Romani students graduated from the Ferenc Pethe Primary School. The ceremony was segregated, with the Romani children graduating at a different time than their non-Romani classmates. Upon further investigation by activists and journalists, it was revealed that the students had been physically segregated for eleven years. Moreover, the Romani children had not been allowed to use the gymnasium or the cafeteria. In a lawsuit brought by the *Foundation for Romani Civil Rights*, the school administration was charged with discrimination, and Hungarian courts ruled that the local government pay compensation of 100,000 Hungarian forints (approximately 400 euros) per child for illegal discrimination on the basis of ethnicity (See "Snapshots from around Europe", Roma Rights 2/99).

Remedial special schools. The over-representation of Romani children in so-called "special schools" — schools for the mentally handicapped — in the region has been no secret for the past decade.[3] Much research has been conducted on the problem, but there is seemingly little will to change practice. Many Romani-speaking children, tested too soon after beginning schooling, perform poorly in psychological tests. Patterns of discrimination are also seen simply in the numbers of Romani children tested. Another problem is culturally biased testing for school entrance. To combat

this severe institutionalised discrimination in the Czech Republic, in which the problem is particularly marked, the *ERRC* filed a lawsuit before the European Court of Human Rights on April 18, 2000. The *ERRC* press release of April 18 states:

> For decades, despite ample evidence of disparate racial impact, Czech officials have knowingly perpetuated a system which routinely brands disproportionate numbers of Roma children as mentally retarded. As a result, tens of thousands of Roma have been deprived from an early age of equal educational opportunities essential to future life success. [...] Romani children outnumber non-Roma in special schools by a proportion of more than twenty-seven to one. Although Roma represent fewer than 5% of all primary school-age students in Ostrava, they constitute 50% of the special school population. Nationwide, as the Czech government itself concedes, approximately 75% of Romani children attend special schools, and more than half of all special school students are Roma.
>
> As a result of their segregation in dead-end schools for the mentally retarded, the applicants, like many other Romani children in Ostrava and around the nation, have suffered severe educational, psychological and emotional harm, including the following:
>
> - they have been subjected to a curriculum far inferior to that in basic schools;
> - they have been prohibited by practice from entrance to non-vocational secondary educational institutions, with attendant damage to their opportunities to secure adequate employment;
> - they have been stigmatised as stupid or retarded with effects that will brand them for life, including diminished self-esteem and feelings of humiliation, alienation and lack of self-worth;
> - they have been forced to study in racially segregated classrooms and hence denied the benefits of a multi-cultural educational environment. [...]
>
> In June of 1999, the present applicants unsuccessfully pursued administrative remedies and sought redress from the Constitutional Court of the Czech Republic. Their lawsuits charged the Czech Ministry of Education and local school authorities with segregating the plaintiffs and numerous other Romani children into special schools for the mentally deficient because they are Roma. The complaints noted that racial segregation and discrimination in education violate the Constitution

BERETTYÓÚJFALU, eastern Hungary: approximately half of the Roma live in a second village which has been swallowed administratively by Berettyóújfalu. Most of the other half live near an illegal garbage dump on the edge of town. The town has six elementary schools. Their school population, according to ethnicity, follows:

	Students	Romani students	Private students	Classes	Special classes
Toldi Miklós	427	51	9	16	0
József Attila	400	8	0	16	0
Széchenyi István	271	6	0	12	0
Hunyadi Miklós	249	5	0	11	0
Rákoczi Ferenc	400	6	0	16	0
Eltes Mátyás	69	50	0	5	5

"Private students" are children who, under a Hungarian legal provision, by agreement of the school and the parents, are no longer required to attend classes and only come to school once a semester to take exams; as of March 2000, all nine private students at Toldi Miklós were Romani and many of these were repeatedly failing exams. Roughly 2/5 of the Romani pupils attending the Toldi Miklós School were attending "catch-up" classes. These are intended as a short-term provision, but many Roma with whom the *ERRC* spoke were sceptical about the likelihood that Romani children would be transferred back to normal classes, and many Romani pupils appeared to have been in "catch-up" classes for a number of years. At the time of the *ERRC* visit in March 2000, nearly all Romani children in all of the schools were seated in the back rows and there was little communication between teachers and the Romani pupils.

of the Czech Republic, the Czech Charter of Fundamental Rights and Freedoms, other provisions of domestic law, and numerous binding international treaties including the European Convention on Human Rights.

The Constitutional Court, acknowledging the "persuasiveness" of the Applicants' arguments, nonetheless rejected the complaints, ruling that it had no authority to consider evidence demonstrating a pattern and practice of racial discrimination in Ostrava or the Czech Republic. The Court effectively refused to apply applicable international legal standards for proving racial discrimination.

Having exhausted domestic remedies, the applicants are now turning to the European Court of Human Rights in Strasbourg. Their Application contends that their assignment to special schools constitutes "degrading treatment" in violation of Article 3 of the European Convention of Human Rights. In so doing, it relies on the legal authority of the Strasbourg organs, which have made clear that "a special importance should be attached to discrimination based on race." The submission further argues that the Applicants have been denied their right to education, in breach of Article 2 of Protocol 1 of the Convention; that they have suffered racial discrimination in the enjoyment of the right to education, in violation of Article 14; and that the procedure which resulted in their assignment to special school did not afford the minimal requisites of due process required by Article 6(1).

The Application asks the European Court of Human Rights to find violation of the above-noted Convention provisions and to award just satisfaction.

RECOMMENDATIONS

Some recommendations for the improvement of the situation of Roma in Central and Eastern European schools follow:

1) In the present circumstances in the region comprehensive anti-discrimination legislation is needed in all countries to fight segregation;

2) Programmes for Romani assistant teachers in primary school classrooms, and the sensitisation of non-Romani teachers must be adopted. Teachers need to understand the children's needs. In order to understand their needs, they must understand their family situations;

3) Parent-teacher communication should be encouraged through incentives at the local level;

4) Information about Roma should be "mainstreamed", not merely as projects in a few localities, but throughout the region;

5) In those Romani communities where the Romani language or other languages (such as Beash or Sinti) are spoken, bilingual primary educational programs should be considered and scholarships offered to Romani teachers to study bilingual methodology;

6) Vocational school programmes should be strengthened and adjusted to meet market needs; for example, governments should assist Roma to study computer and information technology;

7) In order to improve knowledge of foreign languages among Roma, university and high school exchange programmes targeting Romani children, youth and young adults should be initiated or, where already in existence, expanded;

8) Finally, anti-Romani sentiment in the region is not likely to go away without continuous pressure on the part of domestic actors to overcome racism and xenophobia in society. Campaigns in the schools to educate children about the contributions of Roma to their society and culture, as well as anti-bias education should be implemented.

ENDNOTES

1 See Liegeois, Jean-Pierre, ed., *School Provision for Ethnic Minorities: The Gypsy Paradigm*, University of Hertfordshire Press, 1998.

2 See, for example, documentation by the European Roma Rights Center, *A Special Remedy: Roma and Schools for the Mentally Handicapped in the Czech Republic*, Country Reports Series No. 8, June 1999.

Roma and Sinti voices on the right to education in France

Daniella Mercier*

UNION *Socio-Educative Tzigane d'Aquitaine (USETA)* is a regional NGO run by Sinti, Roma and Gypsy representatives. The member families live, work and travel in the Southwest of France in rural or urban areas. Bordeaux is the most well-known metropolis of this region. *USETA* has many contacts with Spain, Italy and the British Isles, but we are also involved with individuals or Romani organisations from northern and central Europe.

In France we work in partnership with the network of Roma delegates from *ASNIT (Action Sociale Nationale et Internationale Tzigane)* and *GATIEF (Gypsy and Traveller International Evangelical Fellowship)*. A few years ago, we were the promoters of a European training team of Roma, Sinti and Gitano mediators who are now very active in the field of cultural and educational issues and access to civil rights and European citizenship. We regularly exchange information with the MG/S/ROM group of the Council of Europe, and we were very pleased to note that some of our proposals were taken into account in the recent "Recommendation No R (2000) 4 of the Committee of Ministers to member states on the education of Roma/Gypsy children in Europe".[1] Our aim is now to raise awareness of the policy-makers to take action to increase the effective participation of Roma, Sinti and Gitanos in public life.

We also collect humanitarian aid such as food, medicine, and medical material to support, among other projects, a children's home near Tirgu Mureş, Romania. Paradoxically, it seems to us less difficult to deal with the Romanian local or ministerial authorities than with the French ones! Here are a few examples of the difficulties and challenges we have to face while attempting to eradicate discriminatory practices in the French administration: most of the time, the parents have to face the refusal of registration of school children by the mayors of cities in the local schools. This refusal is usually oral, but recently one family received a written refusal from authorities to register their children: in the 1996/1997 school year, school authorities in the municipality of Villenave d'Ornon, just outside Bordeaux, refused to enrol Laetitia and Sonia B., two Sinti girls, because their parents, who are itinerant, could not demonstrate a fixed address in the town. Since municipal authorities in Villenave d'Ornon had closed the local halting site, the family could only stay on unauthorised land, so they really had no legal address in the town. After receiving a refusal to enrol from the mayor, the girls' father, Mr N.B., wrote a letter to the public prosecutor in Bordeaux, calling attention to the case and arguing that Penal Code Article 432(7), which bans discrimination by a public authority, had been violated. The appeal was refused.

During the academic school-year 1999/2000, we noticed a growing number of obstacles to implement the right to education for Sinti, Roma or Gitano schoolchildren: the children were refused either in pre-school, elementary or secondary schools for various reasons: lack of places, lack of teaching materials, no certificate of schooling to evaluate the academic level of the children. In one school, the pedagogical team fixed an arbitrary quota on the number of Romani children allowed in school "to prevent conflict situations"(!) Often the parents or Romani Mediators of our organisation go to schools to try to explain their activities as seasonal agricultural workers or mobile salesmen to schooling authorities. They provide authorities with the relevant provisions of French law, as well as Articles 28 and 29 of the Convention on the Rights of the Child. To date, however, their efforts have had little success. Head teachers generally explain their reluctance to integrate Romani children into the classroom with the pretext that they have no solution for children who experience intermittent education or for illiterate youngsters after 12 years of age.

To overcome this exclusion, in the school year 1999/2000, nine girls and boys associated with our organisation decided to apply for the secondary school distance learning courses offered by the Centre National d'Educatio[illegible] á Distance (CNED). The courses seemed particularly appropriate as they include lessons on Romani history and culture. The families of the children sent their applications to the academic inspector because they needed official permission to participate in

* *Daniella Mercier is General Secretary of the* Union Socio-Educative Tzigane d'Aquitaine (USETA). *Contact information for USETA is: 19 avenue Pierre-Wiehn-BP 143, 33606 Pessac Cedex, France, Fax: (33 5) 56 45 92 29.*

these courses which are specific for Roma and children from itinerant families. They also sent the money because the courses are not free-of-charge. However, the inspector refused to issue permission for enrolment. He said that three of the children had to go to Medico-Professional Institutes for mentally disabled children and the others to special secondary education classes. A Sinto mediator representing all of the families involved wrote to the Academic Mediator who intervened in vain in favour of the distance learning option. We have since appealed to the Ministry of Education in Paris. To date, as I write this in August 2000, there has been no answer from the Ministry. The 1999/2000 school year has now finished. Nine children have lost one year of schooling. They now face a similar fate for the 2000/2001 school year.

Who will listen to the Romani voices asking for equal opportunities? When will the State prove that it really takes its responsibility under the law and international conventions seriously? We can only hope that political leaders will have the courage to acknowledge that good intentions and kind words are not sufficient. We need an urgent, real and effective enforcement of the law and respect for our human dignity.

ENDNOTE

1 See Council of Europe Committee of Ministers, "Recommendation No R (2000) 4 of the Committee of Ministers to member states on the education of Roma/Gypsy children in Europe", *Adopted by the Committee of Ministers on 3 February 2000, at the 696th meeting of the Ministers' Deputies.*

EUROPEAN ROMA RIGHTS CENTER

Library

The ***ERRC* Library** is an information centre for lawyers, activists and scholars conducting research on the human rights situation of Roma in Europe. It serves both as a resource for the *ERRC* staff and network, and as a library for the public. Systematically arranged in a user-friendly way, the Library covers the following areas:

1. LEGAL COLLECTION

- 1.1. International law
- 1.1.A. International human rights instruments (treaties, conventions, etc)
- 1.1.B. International case law (UNHRC, CERD, UNCAT, EComHR, ECourtHR)
- 1.2. Domestic law
- 1.2.A. Domestic legislation (by country)
- 1.2.B. Domestic case law
- 1.3. Legal commentary (by subject matter)

2. ROMA-RELATED INFORMATION

- 2.1. Roma-related information (by country)
- 2.2. Roma-related information and various documents (by subject)

3. GENERAL INFORMATION

- 3.1. General information (by country)
- 3.2. General information (by subject matter)

4. PERIODICALS (BY TITLE)

For further information, please contact the ERRC *on (36-1) 428-2351, fax: (36-1) 428-2356, e-mail: errc@errc.org.*

BEST COPY AVAILABLE

Stealing children: Institutionalising Romani children in Italy

Kathryn D. Carlisle*

THE legend that Gypsies steal children is one of the many myths burdening Roma. Roma themselves know the truth: for at least the past two hundred years, non-Romani state, church and charity authorities have been stealing Romani children from Romani families and remanding them into institutional care. This problem is today particularly widespread in Italy and instances of taking Romani children from their parents in Italy seem to be increasing.

"Too pretty to be a Gypsy"

When Elvizia M. was taken from her mother on July 14, 1999, police officers reportedly told her mother that the reason for her removal was that chipper, green-eyed Elvizia was "too pretty to be a Gypsy." Her father came immediately from Romania to prove that his daughter had inherited her not-stereotypically-Romani eye colour from his side of the family. Her mother, Ms A.M., told the *ERRC*, "I knew that this happened in Italy [children being taken into state custody], but I didn't know that it was an issue of prettiness. I was afraid that we would never see her again."[1] After one month and constant lobbying by volunteers who work in Casilino 700, the camp where the family lived, including photos of the baby in her mother's arms after birth, Elvizia was finally returned to her parents.

Elvizia's case is an extreme example of how Romani minors are taken from their parents. Being "beautiful" meant that she couldn't possibly be Romani, or that perhaps she had been stolen, hence the "uncharacteristic" eye colour. The fact that she could be removed from her family so arbitrarily indicates the weak position of Roma in Italian society. As absurd as the reasoning is, there are many similar cases.

Reasons for removal

Common justifications for state child theft are "unsanitary living conditions", "exploitation of minors" and "abandonment". Laws designed to protect all minors are often applied inconsistently and arbitrarily when Romani children are at issue. Frequently the one to suffer the most is the child taken into custody, forcibly removed from home environment and family.

One reason commonly cited for taking Romani children into state custody is "sfruttamento di minori" or "exploitation of minors".[2] Accusations of exploitation are often brought against parents whose children beg, sell roses or knick-knacks, or who are simply with their parents as they do the same. On one single day, May 22, 2000, 18 Romani minors were picked up in and around the capital city of Rome, according to Italian television newscast TG2.[3] The children were reportedly caught begging or stealing, and were placed in police custody waiting to be placed in institutions or foster homes. Though there are no national statistics specifically for Roma, in 1998, 1047 minors were placed in institutions in the Lombardy region alone.[4] Non-governmental organisations believe that many if not most are Romani.

Most Roma born abroad or born to immigrant parents live in so-called "camps" which are often below hygienic standard.[5] Cases considered abandonment can occur when children are left unattended in camps – the alternative to accompanying parents during the day's activities.

For Roma, there is often little choice but to take their children with them while begging or working. Ms M.D., a Romani woman who earns approximately 30,000 Italian lira (around 15 euros) a day begging by the metro stop near St. Peter's Cathedral in Rome, lives in the Casilino 700 camp in Rome, where more than 1200 predominantly Romani inhabitants lived until mid-Summer 2000 in dismal conditions "There is no way that I can leave my five-year-old daughter and three-year-old son alone in the camp all day," Ms M.D. told the *ERRC*. "The children get tired, and so do I, being on the street from 9 AM to 5 PM, but there is no one I can leave them with and I don't make enough money to afford a babysitter. In the end, what choice do I have?"[6]

---

* *Kathryn D. Carlisle is local monitor for the ERRC in Italy.*

Romani girl in the Romani camp of Via Carucci, March 2000.
PHOTO: STEFANO MONTESI

But she became scared that her children would be taken away from her. Local police had verbally warned her that begging is considered abusive and dangerous for her children, and that she risked having her children taken into state custody. Her neighbour, after being warned several times, decided to heed police threats. Her children are now in Romania with their grandmother. "It was the most difficult decision of my life," Mrs H.D. told the *ERRC*. "Back in Romania I am afraid that they are hungry. But here they could be stolen, and I couldn't live with that."[7]

Surveillance

Frequently Romani children are taken from their families on grounds of truancy, although in similar cases pertaining to non-Romani families, children are not removed from parental care. Frequently also, Italian authorities "monitor" Romani families, conducting surveillance to ascertain child-rearing practices and render judgement on them.

The standard fine for truancy is 250,000 Italian lira (around 130 euros). It is a fine for minors (under sixteen) caught out of school during attendance hours. A notice is given to the truant child, and the fine sent to the parents' address. After this, parents have 60 days to pay the fine, or pay a 30% penalty in addition to the original amount. This information comes from the Child Welfare Office in Rome.[8] The same official at the Child Welfare Office also confirmed that 25 Romani families in Rome are under surveillance for their children's truancy and risk having their children taken into state custody. The official, who would not give his name, was adamant about the difference between "Gypsies and Italians...the same laws do not work for both." When questioned if this was the Child Welfare Office's policy, or the official's opinion, he responded, "We just follow orders.

These are decisions made by the local government." If true, then indications are that the city government of Rome advocates that the Child Welfare Office and other officials working on child care issues make a distinction between Romani and non-Romani minors when deciding if cases of truancy are punished by fines, or are forwarded to the judicial system, where child custody becomes an issue. *According to the the Child Welfare Office of the Social Services Department of the* Naples municipality, 300 Romani children from various camps are "under observation" to monitor their living conditions and determine whether they should be taken into state custody.[9] The "white car" (the Child Welfare Office vehicle used to pick up children targeted for state custody) has come to symbolise a parent's worst fears of losing a child to the system.

Government spokespersons assert that removing Romani children from Romani families and other paternalistic, disruptive and invasive practices are for the good of Roma. According to some public officials, a practice such as stripping minors from their natural parents is a necessary action to save Romani children from a dismal future.[10] Mr Luigi Lusi, Counselor for Nomad Affairs, has offered his solution to what he sees as a fundamental problem of "Gypsies". City officials will monitor individual Roma to ensure compliance with the law. Children who miss school, according to Mr Lusi, are doing so because they are out "stealing and pickpocketing on the streets."[11] He has also stated that this is the fault of "delinquent parents and their culture." The opinion that crimes such as pickpocketing and petty thievery are carried out almost exclusively by Roma is widespread in Italy. Mayor of Rome Mr Francesco Rutelli has voiced support for Mr Lusi's initiatives as a way to help Roma help themselves.[12]

"Unsanitary conditions"

Using sanitary conditions as a justification, almost every young Romani boy and girl could be taken into custody, according to Ms Anna Maria Cirillo from the organisation *Opera Nomadi*, an Italian NGO that provides humanitarian assistance for Roma in Italy. "There is no denying that most of the camps range in the quality of their living conditions between bad and very bad," Mr Slatko B. told the *ERRC*. Mr Slatko B. is a Romani refugee from Kosovo who has been living in the Scampia camp in Naples for two years. "When 750 people share one fountain, as in Scampia, it is impossible to keep clean." Mr Ferdinando Bucci, formerly a lieutenant with a police unit in the camp at Casilino 700, told the *ERRC* that he believed the same resources used to forcibly remove Romani children from their families should instead be used for improving living conditions and guaranteeing Roma equal opportunities in society. As he pointed out, foster family costs 600,000 Italian lira (approximately 310 euros) per month for every child they host; city detention centres spend 120,000 Italian lira (around 60 euros) per day and juvenile prisons spend 900,000 Italian lira (around 460 euros) a day per inmate. "Essentially," Mr Bucci told the *ERRC*, "the resources used by Italian authorities to tear families apart could be utilised to guarantee minors, and their parents, the right to live with dignity and without fear." As it is, substantial amounts of money are being spent to strip Romani children of the possibility to grow up in their own environment with their natural families.

Romani children placed in surrogate families are often traumatised by the experience. "A child whose world is turned upside down in the course of a few days will have a lot to reckon with in the future," according to psychologist Caroline de la Brosse, a therapist who works with traumatised infants. "And who's to say that the foster or adoptive families are actually prepared to deal with the results of the trauma a child suffers when taken from their parents against their will?"[13] In fact, according to the Rome Child Welfare Office, the state only provides a social worker who visits foster or adoptive families an average of twice a month. Counselling to assist these families must be sought independently. "I know children who were returned to their parents when they became too unruly, or remained 'uncivilised' according to the foster parents," said Ms Anna Maria Cirillo from the organisation *Opera Nomadi* in a recent interview with the *ERRC*.[14] "In one case, a girl taken from her mother when she was nine-years old was returned after six years, and Child Welfare never bothered to check her housing situation." The girl reportedly told Ms Cirillo that she was returned to her parents by her foster family (she was never adopted) because they were concerned about her puberty and felt that she had promiscuous tendencies...something only "other Gypsies could understand."[15]

Impeding the return of Romani children to their families

Bureaucratic complications and the complex Italian legal system not only pave the way for children's removal, but also impede their return. Until recently, Mr Marian Dumitru lived in the camp Casilino 700 on the periphery of Rome. Having fled Romania after racist attacks exploded in his hometown of Craiova, Romania in the early 1990s, he and his wife settled in Rome to find ethnic tension and segregation. Now Mr Dumitru has seen his family life painfully disrupted. According to Mr Dumitru, he was waiting by a coffee shop in the centre of Rome on Via Barberini, January 19, 1999, hand-in-hand with his 3-year old son Joan Fernando. Two municipal police officers arrived and began questioning Mr Dumitru in "very rapid Italian," he explained. "I really didn't understand much, but they began pushing me and one of them pulled out a gun," he recalls. At that point, according to Mr Dumitru, they forced him behind a building, pulled out a written document and demanded that he sign. "I had no idea what I was signing," Mr Dumitru told the *ERRC*.

His son was then taken into state custody and he was called to preliminary proceedings and charged with "abandonment", even though he had been holding his son's hand at the time of his detainment by police officers. Attorney Magdalena di Girolamo, who has now taken on Mr Dumitru's case, explains that "abandonment according to Italian law can also be spiritual or emotional." Mr Dumitru had no attorney during preliminary proceedings and was not provided with legal assistance. The court decided that the child was to be taken into state custody, and the family monitored to determine if they could regain their son.

The family had no news of their son Joan until June 11, 1999, when Mr Dumitru was allowed to visit him. According to Judge Foschini of the Minor's Court, the first judge to oversee the case, the fact that the boy cried when he saw his father was proof of the need for him to be permanently removed from his parents. A request for adoption proceedings to commence was requested by Judge Foschini, based on Child Welfare Office reports of the father's poor living conditions and child's delicate emotional state. Hearings had not yet taken place at the time of writing in late August 2000. At the same time, Mr Dumitru was attempting to gain a residence permit to stay in Italy throughout the proceedings; Mr Dumitru did not have a legal permit to stay in Italy and was under threat of expulsion, even before proceedings began.

"Saving" Roma

Articles in the Italian press play on stereotypes about Roma and downplay the painful reality that people are losing their children. In almost all cases, the Italian perspective reflected in media coverage and official commentaries is clear: that Roma do not care for their children, and often condemn them to a life of squalor and slavery; that children taken from their parents are being saved; and that the state knows better than the Roma.

Lobbying on the part of volunteers for *Opera Nomadi* in Naples often keeps children in that city out of the initial stages of state custody. By intervening immediately and protesting unfair treatment of Romani parents, they hope to ensure the swift return of minors to their parents before court proceedings begin. This includes everything from appearing at the police station where minors are detained, calling local council members, and sending alerts out through the local press. Ms Cirillo believes that "since we have begun intervening on the part of Romani families, more than half of the children taken into state custody have been returned to their parents before the case reaches legal proceedings. However, that wasn't the case even a year ago."[18] Active campaigning in Naples on the part of Roma and local NGOs seems to have slowed the trend of detentions of Romani children.

But not all Romani communities have the benefit of proactive local NGOs. According to immigration lawyer Simona Sinopoli, once the children have been taken into custody awaiting proceedings in Minor's Court, it is difficult to exit from the system. The road from a state institution or temporary foster family where the children are placed, back to their parents is long and problematic, even if the parents are found to be dependable guardians after being monitored by social assistants.

Rather than providing assistance to Romani families living in a situation that is considered precarious, Italian authorities now appear to be acting to strengthen

the system that removes children from their parents. A building to house what have been termed as abandoned children is reportedly under construction in Florence. Two adjoining buildings are designated as what one Italian daily termed a "refuge for child slaves" caught on the streets of the city "begging, selling roses or stealing."[17] As it is described, this temporary station does not seem designed to return minors to their parents. Children designated as "in need" will likely be placed in state custody and not returned to their families. According to the Florence Prefect Mr Achille Serra, as quoted in the Italian daily *La Nazione*, there are a dozen "good families" lined up and ready to offer their homes to the "troubled children". Mr Serra reportedly went on to state, "We can only hope that these solid, stable, volunteer Italian families can face the challenge. If not, the children will grow up in state institutions."[18] The detention centre itself seems to target one type of minors – Romani. As one local policeman said, "If we don't take them from their parents, they will continue to rob and harass. It takes a structured plan to break this vicious cycle perpetuated by Gypsies."

As a last resort, some Romani parents, distrustful of the system and sceptical as to whether they will ever get their children back, have decided that their only chance is to take the law into their own hands. According to the Italian daily *Corriere della Sera*, on May 3, 2000, a Romani couple from Milan did just that – the mother, Ms Avdija Ahmetović entered the religious institution Beato Palazzolo in Brescia where two of her children were detained, and carried them out "violently pushing a nun as she passed."[19] The father, Mr M. Ahmetović simultaneously entered the religious institution Fanciulla Abbandonata and ran out with their other four children unobserved. They were found in the Tuscan town of Grossetto on May 9, 2000 with their children who were taken back into state custody. The two were arrested and are presently facing criminal charges for kidnapping. One headline concerning the incident announced, "Nomads steal children entrusted to religious institute".[20]

ENDNOTES

1 *European Roma Rights Center* interview with Ms A.M., July 26, 2000, Rome.
2 The punishment for "exploitation of minors" specified in Civil Code Article 330 is loss of custody.
3 TG2 newscast at 7.30 pm, May 23, 2000.
4 Italian weekly magazine *Donna*, June 19, 2000.
5 The situation of Roma in Italy, including racial segregation into "camps for nomads", is the subject of a forthcoming report by the *ERRC*.
6 *European Roma Rights Center* interview with Ms M.D., June 15, 2000, Rome.
7 *European Roma Rights Center* interview Ms H.D., June 15, 2000, Rome.
8 The Child Welfare Office is part of the municipal Social Services Department. Each city, or commune, has such offices.
9 Once taken into state custody, a minor must appear with her family or responsible guardian before Minor's Court (Tribunale dei Minori). In closed proceedings, a judge decides whether the child at issue is to be returned to her parents, or placed in a state-run institution for minors or a foster family. After placement, the family will be monitored for a year by social assistants to evaluate if the child is to be returned or not. After the year has expired, if the family is not deemed fit, new proceedings are held and the family has six months to appeal, after which, the child will be either placed in an adoptive family, or remain permanently in state custody until he or she reaches 18 years of age.
10 Italian daily, *La Nazione*, June 7, 2000.
11 *European Roma Rights Center* interview with Dr Luigi Lusi, May 2, 2000, Rome.
12 Italian daily newspaper *La Repubblica*, February 2, 2000.
13 *European Roma Rights Center* interview with Dr Caroline della Brosse, August 15, 2000, Rome.
14 *European Roma Rights Center* interview with Ms Anna Maria Cirillo, July 27, 2000, Naples.
15 *European Roma Rights Center* interview with Ms Anna Maria Cirillo, July 27, 2000, Naples.
16 *European Roma Rights Center* interview with Ms Anna Maria Cirillo, July 27, 2000.
17 Italian daily, *La Nazione*, June 7, 2000.
18 Italian daily, *La Nazione*, June 7, 2000.
19 Italian daily, *Corriere della Sera*, May 5, 2000.
20 Italian daily, *Corriere della Sera*, May 5, 2000. In Italy, Roma are often referred to by non-Roma as "nomads", even if they are not itinerant.

"I cannot begin to tell you how I felt": the testimony of a Romani mother whose children were removed from her care in Hungary

Testimony

Until amendments to Hungarian law in 1997, social workers in Hungary were empowered to remove children from families without a court order, if they felt that the family was not capable of caring for the child. Uncounted numbers of Romani families in Hungary were broken up on arbitrary grounds by social workers acting overzealously and often with a poor understanding of Romani culture or the central importance of the family in Romani life. On July 10, 2000, the ERRC interviewed Ms M.B.; social workers removed four children from her care in the late 1960s and early 1970s. She has never been compensated for the emotional damage caused her. This is her testimony:

I was born in 1946. We lived with my three sisters and my mother in Hajdúbagos, eastern Hungary. My father was a horse trader. I was little when he died. We lived in a one-room house. I'm the second oldest woman in the family.

We had to walk four kilometers to school every day. I completed four classes of school. When I was thirteen years old, I had my first job with the state agricultural company *[állami gazdaság]* and I worked for them for a long time. We changed locations yearly, working in the fields: picking sugar-beets and green paprikas, corn-shucking etc. In 1964 we moved to Ebes, where I first met Elemér.

I had never had a boyfriend and before then, if I saw a man walking on the street, I would cross to the opposite side. I did not want to be near them. But Elemér talked to me and soon he had stolen my heart. We were married on my birthday, on November 23, 1965. We moved to the place where my mother-in-law lived, Nyíradony. We have lived together until today.

I gave birth to Jutka on March 17, 1967. We had come to Budapest to work in a vineyard. I continued to work while my belly grew bigger, and the ambulance took me to the hospital straight from the vineyard. I gave birth to my child. Then we went home to Nyíradony, where eighteen of us were living in the kitchen of my mother-in-law's house.

We spent a few weeks there then we moved to Cegléd to make adobe for the state cooperative *[termelő szövetkezet]*. For many kilometers there were no houses nearby. I remember the day when we started to build one: we dug some posts into the ground which we spread with mud and covered with reeds. Everyday the wind blew into the house. At this time, Jutka was a very little baby. We worked the whole day, from daybreak till nightfall.

After I had given birth, a nurse came. She was supposed to give advice to young mothers. That nurse who visited me was not very nice: instead of giving me advice she reported to the GYIVI[1] that our housing situation was not good enough for the baby. When we finished work at the end of that summer the baby got sick. I took her to the hospital, where she spent a week. The doctors there treated me like the nurse had: they did not tell me anything, they just suggested to the GYIVI that they take a look at my child. We went home again to Nyíradony, not knowing what was happening behind the scenes.

When we arrived home, a group of officials were waiting for us: an employee of the GYIVI, someone from the local government and the nurse. And there they together told me that they were taking my baby to the orphanage. Of course I told them that this was not possible, but there were so many police cars... they took away my child... I cannot begin to tell you how I felt.

Mari was born in1968. By chance, I was able to keep her at home. At that time I got a job in Szentendre. First I went alone, without Mari. I left her with my sister for a month. I lived in a worker's hostel, and worked in construction: I cut iron, carried bricks, made cement. They fired two men and offered me their job. I did the work of three men. I did it because I wanted my child to be with me. It worked. I brought her from my sister's place to Szentendre.

Ms J.B. ("Jutka"): *ERRC* interview on July 16, 2000

I do not remember exactly how and what happened, only some pieces remain in my memory. I was taken to Hajdúszoboszló, to an older couple, as foster-parents. I don't know why they took me in; they didn't like me. Maybe because of the money they received from the government for looking after me. They were not required to spend money on me and they did not. I remember when I did something wrong the old woman would try to beat me and I would run away. She chased me around the house, shouting: "Stop, you stinking Gypsy whore!" This is how I learned who my mother was.

Then the others came one after another: Ildikó, Edit, Évi. But social workers took all of them away. They did this in the same way as they had the first time: with a police car. They came to the house, walked in, and took them away. I couldn't do anything. My youngest daughter stayed at home, like Mari. It was an accident, a piece of good luck. I don't know why I didn't have enough brains to hide somewhere else for a couple of weeks after giving birth.

When my sixth daughter Erzsi came, I received a maternity grant of four hundred forints. There was a little house next to my mother-in-law's. The person who lived in that house asked me if I wanted to buy the house. It costs four hundred forints. We bought it. There were holes in the roof and when it rained, the water came in, but it did not matter because we knew that we had something over our heads.

Then I started to look for my children. I went to the offices every day. I spent seven or eight years getting my first daughter, Jutka, back. At that time we moved to Bedő where my sisters and mother lived. I found Jutka and asked to get her back. She was sixteen at that time. After a month I finished with all of the documentation, then I received a letter that I could take her back.

We have lived in Budapest for a couple of years. I have been looking for my other daughters but aside from Jutka, I have found only Évi. I have not found Ildikó and Edit. They are now 32 and 33 years old. I have three grandchildren and maybe more. I will not rest until I find them.

ENDNOTE

1 The Hungarian state Institute for the Care of Children and Youth.

EUROPEAN ROMA RIGHTS CENTER

Order the *ERRC* compilation containing materials published by the *ERRC* in 1996-1999 from:

ERRC
H-1386
Budapest 62
PO Box 906/93
Hungary

The ERRC requests a donation of 10 USD, euro per copy to cover the printing and mailing costs to our bank account

European Roma Rights Center
Budapest Bank Rt.
99P00402686
1054 Budapest
Bathory utca 1
Hungary

or download it from our website at

http://errc.org/

FOCUS: ROMA IN HUNGARY

Published materials 1996-1999

UN special session on children: September 2001

Marty Rajandran*

IN September 2001, a special session of the UN General Assembly on Children will be held to review the progress made to reach goals established at the World Summit for Children. These goals, set out in 1990 and reflected in National Action Plans in many countries of the world, cover such issues as the reduction of infant, child and maternal mortality; universal basic education; universal access to safe water and sanitary excreta disposal; reduction of malnutrition among young children; reduction of adult illiteracy; and protection of children from exploitation and abuse. In addition, in view of the near global ratification of the Convention on the Rights of the Child, progress towards its realisation in law and practice will also be reviewed at the Special Session on Children.

For this Special Session on Children, each government has been requested to prepare a National Report on the status of children, and progress in relation to the World Summit for Children Goals and the implementation of the Convention on the Rights of the Child. This report is due at the UN on 31 December 2000. In addition, the UN and UNICEF, which is the Secretariat for the Special Session, have encouraged governments actively to involve NGOs, civil society and young people in the preparation of the Report, and in national discussions towards a consensus on actions for the future.

It is important that the situation of Romani children be fully considered in the respective country reports. Some ideas on how NGOs, community leaders, social workers, human rights activists, and others working for the realisation of children's rights may participate are noted below:

1. Join in the preparation of the National Report of the Government on the 10 year review of the situation of children in each country, to ensure and facilitate the inclusion of the situation of Romani children.
2. Attend and participate actively in meetings and discussions organised by NGOs and others on the National Report and in-country preparations for the Special Session on Children in September 2001.
3. Organise public discussion on issues that affect Romani children and youth, aiming at building consensus and policy alternatives for the coming decade.
4. Organise meetings of Romani children and youth, boys and girls, seeking their views on issues that affect them as young people as well as those which affect them as Roma. What are their views and hopes for the future?
5. Work together with Government, NGOs and others in undertaking data collection especially related to the health, education and social status of Romani children, youth and women. Work together towards identifying the actions that are needed as a result of the findings.
6. Organise or participate in cultural and other events scheduled as part of a "Global Movement for Children" being organised in your country. The UNICEF offices are one source of information on the events planned, locally, regionally and globally.
7. Consider establishing a coalition of Romani NGOs focusing on issues affecting Romani children and youth.
8. Engage Romani media to consider developing programmes to share information on the UN Special Session on Children and related events in the country and region.
9. Become acquainted with the Recommendations of the Committee on the Rights of the Children in your country. Provide this information to other Roma activists and leaders. Work together with government to address issues and suggestions.
10. Prepare a children's version of the Convention on the Rights of the Child in a language local Romani children understand to ensure that all children are aware of the Convention and what it means for them.

Since a new agenda for children and young people is being developed over the next months leading up to the UN Special Session, there is a unique window of opportunity to advocate for stronger action to put an end to the patterns of discrimination and disadvantage affecting Roma, starting with children.

---

* *Marty Rajandran is UNICEF Regional Officer for Central and East Europe, the Commonwealth of Independent States and the Baltic states.*

UN Race Discrimination Committee holds thematic discussion and issues general recommendation on Roma

Veronika Leila Szente*

ON August 15 and 16 this year, the United Nations Committee on the Elimination of Racial Discrimination (CERD)[1] held a thematic discussion concerning racial discrimination against Roma. The meeting, the first in the Committee's 30-year-long history focusing on a theme rather than an individual government, resulted in the adoption of the first ever general recommendation (out of 27 in total) dedicated to a specific ethnic group.[2]

According to Michael E. Sherifis, Chairman of the Committee, who opened the discussion, "during the consideration of periodic reports of several contracting parties, it had emerged that the Roma people were discriminated against in many countries [...]. The standards of the Convention [on the Elimination of All Forms of Racial Discrimination, hereafter, "the Convention"] were not met and in fact many of its provisions were directly and constantly violated." Among the specific violations highlighted by Sherifis were "Roma children being placed in special schools for mentally disabled pupils, depriving them of dignity and opportunities for the future in terms of higher education and employment;" "forced relocation of Roma" and "the existence of Roma settlements or camps in isolated locations, sometimes close to rubbish deposits or contaminated industrial sites, surrounded by walls or fences and lacking the very basic sanitary facilities;" "excessive use of force by the police against Roma, and physical violence by members of racist organisations against them." Sherifis further noted that "maybe most disconcerting, [...] discriminatory acts against Roma often go unpunished." The Committee was "painfully aware" that "for centuries," the Roma had been subjected to "ill-treatment, rejection, exclusion and discrimination of various forms. [...] It was distressing to know that at the beginning of the third millennium, the problem was still there," he said.[3]

ERRC and other non-governmental organisations made both written and oral contributions to the Committee's thematic discussion. *ERRC*'s 35-page submission documents that Roma throughout Europe are the victims of racial violence and pervasive discrimination in virtually all spheres of life. It argues that many governments have failed to comply with their obligations under the Convention to prohibit, punish and remedy racial discrimination against Roma. In particular, the submission highlights the following areas of concern:

As to Article 2 of the Convention (requiring states to bring to an end racial discrimination by all appropriate means, including legislation), discrimination and violence against Roma remain widespread throughout Europe while legal protection against discrimination and racially-motivated violence is inadequate. The problem of insufficient legislative provisions aimed at combating racism and discrimination is further compounded by the failure to ensure their effective implementation.

As to Article 3 of the Convention (banning racial segregation), in several countries in Europe, governmental policies towards Roma, most notably in the fields of housing and education but also in other areas of life, amount to racial segregation into conditions of life to which no other segment of the population is subjected.

As to Article 4 of the Convention (obligating states to, *inter alia*, not permit public authorities to promote or incite racial discrimination), prominent public officials in Europe have continued to disseminate racist speech targeting Roma, thereby encouraging racism rather than combating it in the societies they govern.

As to Article 5 of the Convention (guaranteeing equality before the law), many governments have failed to ensure Roma and other minorities equal protection of the law. Roma in a number of countries suffer widespread discrimination in the justice system, and are the victims of an unchecked wave of violence at the hands of law enforcement authorities, skinheads and others. In addition, Roma are commonly discriminated against with respect to a broad range of rights, most egregiously and systematically, freedom of residence, employment, housing, health care, education, and access to public goods and services.

---

* *Veronika Leila Szente is Advocacy Director of the European Roma Rights Center.*

As to Article 6 of the Convention (requiring states to ensure effective protection and remedies), notwithstanding the numerous breaches of the Convention perpetrated against Roma throughout Europe, protection is lacking or ineffective, and remedies non-existent or inadequate.

As to Article 7 of the Convention (requiring states to combat discrimination through education and training), efforts to promote racial tolerance, in part through the conduct of educational and media campaigns to familiarise the public with the Convention and its standards, are insufficient or entirely absent from the political agendas of most European governments.

In addition to providing ample evidence of recent and repeated discrimination and violence afflicting Roma throughout much of Europe, *ERRC* also presented the Committee with ten recommendations for specific action that governments should take to begin the process of eliminating discrimination against Roma:

1. Involvement — In designing, implementing and evaluating policies to combat and prevent discrimination, governments must involve representative groups of Roma at all stages.

2. Political will — The foundation for any successful anti-discrimination policy is political will at the highest levels of government. Absent moral leadership in the fight against discrimination, all other steps risk being mere window dressing. Senior governmental officials must frequently and publicly acknowledge that racism against Roma is a grave and pervasive problem which afflicts, not Roma, but majority society. Governments and the public at large must first acknowledge the extent of racism in order to combat it.

3. Legislation — Although European constitutions uniformly prohibit discrimination and guarantee equality, many governments have yet to follow through on these constitutional promises by enacting implementing legislation specifically prohibiting racial discrimination. This is so, even though a number of countries have criminalised incitement to, and acts of, racially-motivated violence. Governments which have not yet done so should enact comprehensive legislation specifically prohibiting non-violent discrimination — and providing civil and criminal remedies therefor — in all spheres of public life, including but not limited to education, employment, housing, health care, social services, and access to citizenship and public accommodations.

4. Enforcement — Governments must do more to ensure consistent and adequate enforcement of existing legal standards in the field of discrimination.

a) On the one hand, governments must effectively discipline public officers — including police, prosecutors and other investigative authorities — who fail adequately to enforce discriminatory norms.

b) On the other hand, governments must arrange for training of public officers — including police, prosecutors and judges — to educate them in binding international law prohibiting racial discrimination, and its applicability in domestic fora. In short, law enforcement officers must be aware that racial discrimination is against the law, and that it is their duty to enforce that prohibition.

5. Positive action — International law authorises and in some cases mandates affirmative action by governments to ensure equality in fact, as well as in law, for those groups including Roma who have historically suffered systematic discrimination. Among the most important measures which governments can take in this regard are the active recruitment, identification and capacitation of Roma into the ranks of public employment, including the police, prosecutorial corps and the judiciary.

6. Specialised bodies — Governments must establish specialised official bodies with specific responsibility to act in the field of racial discrimination. In a number of countries, Ombudsmen have been established to address these questions, and in some instances, Ombudsmen have played a useful role in highlighting and focusing public scrutiny upon abuses. But this is not enough. Governments must establish state organs with the legal power to investigate and prosecute acts of discrimination.

7. Race statistics — Governments can hardly comply with international obligations to eradicate racial discrimination absent data showing the racial impact of policies in the fields of, inter alia, employment, housing, education, and criminal justice. Governmental efforts to combat racial discrimination should therefore be based on reliable statistical data and other quantitative information reflecting as accurately as possible the situation of Roma and other minorities in society. Such information should be collected in compliance with human rights principles, and protected against abuse for purposes other than reversing racial discrimination and improving the overall situation of the Roma.

8. Dialogue – Governments should pursue and intensify programmes to facilitate dialogue and understanding between groups of Roma and various public officials, including the police, prosecutors and the judiciary.

9. Anti-racism and human rights education – Governments should intensify efforts at popular education about the extent of anti-Roma racism, about the contributions of Romani culture and history, and about the binding nature of international and domestic prohibitions on racism and discrimination.

10. International commitments – Governments must demonstrate their commitment to combat racism and discrimination by making full use of existing international instruments, in particular:

a) Article 14 of the Convention: All governments which have not done so should declare, pursuant to Article 14 of the Convention, that they accept the competence of the Committee to consider communications from individuals and groups concerning violations of the Convention;

b) European Union Race Directive: Governments throughout Europe should expeditiously bring their legislation and practice into conformity with the Council Directive "implementing the principle of equal treatment between persons irrespective of racial or ethnic origin", adopted by the Council of the European Union on June 29, 2000, and;

c) Protocol No. 12 to the ECHR: All Council of Europe Member States should proceed with a speedy ratification of Protocol No. 12 to the European Convention on Human Rights, broadening the scope of Article 14 on non-discrimination, adopted by the Committee of Ministers on June 26, 2000.[4]

The Committee made extensive use of the information and proposals submitted by *ERRC*, which are also reflected in the resulting recommendations adopted at the conclusion of the discussion. In its General Recommendation, addressed to states parties to the Convention, the Committee called on governments to undertake a number of concrete measures, including the following:

- "review and enact or amend legislation [...] to eliminate all forms of racial discrimination against Roma;"
- "take appropriate measures to secure to members of Roma communities effective remedies and to ensure that justice is fully and promptly done in cases concerning violations of their fundamental rights and freedoms;"
- "adopt and implement national strategies and programmes and express determined political will and moral leadership, with the view to improving the situation of Roma and their protection against discrimination by state bodies, as well as by any person or organisation;"
- "develop and encourage [...] dialogue between Roma [...] and central and local authorities;"
- "ensure that legislation regarding citizenship and naturalization does not discriminate against [...] Roma;"
- "take all necessary measures [...] to avoid any form of discrimination against immigrants or asylum seekers of Roma origin;"
- "acknowledge wrongs done during the Second World War to Roma communities by deportation and extermination and consider ways of compensating for them;"
- in the field of racial violence, "ensure protection of security and integrity of Roma, without any discrimination by adopting measures for preventing racially motivated acts of violence against them;" "ensure prompt action by the police, the prosecutors and the judiciary for investigating and punishing such acts and [...] that perpetrators, be they public officials or private persons, do not enjoy any degree of impunity;" "take measures to prevent use of illegal force by the police against Roma, in particular in connection with arrest and detention;" "encourage [...] communication and dialogue between the police and Roma;" "encourage recruiting members of Roma [...] to the police and other law enforcement agencies;"
- in the field of education, "act with determination for eliminating any discrimination or racial harassment of Roma students;" "prevent the segregation of Roma students, while keeping open the possibility for bilingual or mother tongue tuition;" "cooperate actively with Roma parents, associations and local communities;" "include in text-books, at all appropriate levels, chapters about history and culture of Roma;" "recruit school personnel from among members of Roma [...] and [...] promote inter-cultural education;"

- in the field of employment, "adopt and make more effective legislation prohibiting discrimination in employment, and all discriminatory practices in the labour market affecting members of Roma [...] and [...] protect them against such practices; take special measures for promoting employment of Roma in public administration and institutions, as well as in private companies;"
- in the field of housing, "develop and implement policies and projects aimed at avoiding segregation of Roma [...] in housing;" "act firmly against local measures of denying residence to, and unlawful expulsion of Roma, and [...] refrain from placing Roma in camps outside populated areas, isolated and without access to health care and other facilities;"
- in the field of health care and social protection, "ensure equal access of Roma to health care and to social security services and [...] eliminate any discriminatory practices against them in this field;" "initiate and implement programmes and projects in the field of health for Roma" and "involve Roma associations and communities and their representatives, mainly women, in designing and implementing health programmes and projects concerning Roma groups;"
- in the field of access to public accommodations, "prevent, eliminate and adequately punish any discriminatory practices concerning access of members of the Roma communities to all places and services intended for the use of the general public, including restaurants, hotels, theatre and music halls, discotheques and others;"
- in the field of media, "act as appropriate for the elimination of any ideas of racial or ethnic superiority, of racial hatred and incitement to discrimination and violence against Roma in the media, in accordance with the provisions of the Convention;" raise awareness among media professionals "of the particular responsibility to not disseminate prejudices and to avoid reporting incidents involving individual members of Roma communities in a way which blames the community as a whole; encourage methods of self-monitoring by the media, such as respect for a code of conduct for media organisations, in order to avoid racial, discriminatory or biased language;" "develop educational and media campaigns and educate the public about Roma life, society and culture and the importance of building an inclusive society [...] respecting their human rights and their identity;" "encourage and facilitate Roma access to media [...] and the establishment of their own media, as well as the training [...] of Roma journalists;"
- in the field of participation in political life and policy-making, "take the necessary steps, including special measures, to secure equal opportunities for the participation of Roma minorities or groups in all central and local governmental bodies;" "develop modalities and structures of consultation with Roma political parties, associations and representatives, both at central and local levels, when considering issues and adopting decisions on matters of concern to Roma;" "involve Roma [...] at the earliest stages in the development of Roma policies and programmes and in their implementation and ensure [...] transparency about such policies and programmes;" "organise training programmes for Roma public officials and representatives, as well as for prospective candidates to such responsibilities;"

The Committee further recommended that governments "include in their periodic reports [...] data about the Roma communities within their jurisdiction, including statistical data about Roma participation in political life and about their economic, social and cultural situation, including from a gender-perspective, and information about the implementation of this General Recommendation."

Finally, in three final recommendations not addressed to governments, the Committee requested that:

- "intergovernmental organisations address, in their projects of cooperation and assistance to different States parties [...], the situation of Roma communities and favour their economic, social and cultural advancement;"
- "the High Commissioner for Human Rights consider establishing a focal point for Roma issues within the Office of the High Commissioner;"
- "the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance give due consideration to the above recommendations, taking into account the place of the Roma communities among those most disadvantaged and most subject to discrimination in the contemporary world."

The numerous shortcomings identified by the Committee require urgent action by many European governments to bring their legislation and practice into compliance with international law. Non-governmental organisations have a crucial role to play in

monitoring the extent to which states meet the above requirements, and in providing the Committee with information regarding their respective governments' compliance with these standards.

ENDNOTES

1 The CERD is a United Nations body charged with responsibility for overseeing compliance with the International Convention on the Elimination of All Forms of Racial Discrimination. It has been ratified by almost all European governments (the only exceptions are Andorra, Ireland, San Marino and Turkey). Composed of eighteen internationally-recognised experts, the CERD meets twice a year to review states' compliance through a reporting procedure which obliges governments to submit reports on a periodic basis.

2 CERD General Recommendation XXVII, 16 August 2000 (A final version of the CERD's recommendations is forthcoming).

3 See "Opening Statement by Mr Michael E. Sherifis, Chairman of the Committee on the Elimination of Racial Discrimination, on the occasion of an informal meeting between the Committee and international and national non-governmental organisations on the issue of discrimination against Roma populations," Geneva, 15 August 2000, and United Nations Press Release, "Committee on the Elimination of Racial Discrimination Starts Special Debate on Racial Discrimination against Roma People," HR/CERD/00/53, 15 August 2000.

4 "Racial Discrimination and Violence against Roma in Europe," Statement submitted by the *European Roma Rights Center*, for consideration by the United Nations Committee on the Elimination of Racial Discrimination at its 57th Session, on the occasion of its Thematic Discussion on Roma, August 15-16, 2000. The full text of the submission is available on the Internet at **http://errc.org/publications/legal/index.shtml/** or from *ERRC* upon request.

TRANSITIONS

ONLINE

departments
- **in focus**
- **features**
- **opinions**
- **media**
- **books**
- **week in review**
- **in their own words**
- **letters to the editor**

resources
- **archive**
- **about us**
- **join TOL**
- **country files links**
- **newsstand**
- **jobs**

Check out the current issue of *Transitions* ... Explore UT/*Transition*'s extensive archive with our search engine ... Access other regional media through our expanding newsstand ... Tap new information from our references and links ... Find out more about our Article Reprint Syndicate ... Browse through our 1998 cartoons archive ... Find out about employment opportunities on our jobs page

Transitions Online: transitions.ijt.cz

http://www.ijt.cz/

BEST COPY AVAILABLE

Unprotected: attacks continue against Kosovo's Romani minorities

Emily Shaw*

I have been engaged as a local monitor in Kosovo for the *ERRC* as part of a joint project with the US-based non-governmental organisation *American Friends Service Committee*. The following is my assessment after the first two weeks, which included research in Mitrovica, Priština/Prishtinë, and Uroševac/Ferizaj.

Overall, while the massive wave of systematic violence against Roma, Ashkalija, and Egyptians which characterised the summer of 1999 has somewhat slackened, Roma, Ashkalija, and Egyptians (hereinafter referred to collectively as "Romani minorities") continue to be targets of arson, harassment, and killings. Further, the patterns these attacks follow suggest that perpetrators are trying to force remaining Romani minority communities into leaving their homes. Suspects are rarely arrested in connection with these crimes, a state of affairs which is attributable both to fear of reporting due to an inability to protect witness anonymity and insufficient police capacity. Romani minorities also do not have access to the sub-legal security structures that sometimes protect ethnic Albanians from attack. The lack of consequences for crimes against Romani minorities only encourages the perpetrators and often leads to a drawn-out series of assaults against the residents of a single neighbourhood.

Though there have been several reports of successful refugee-initiated, small scale-returns of Romani minority members from abroad, the picture is not so rosy for other groups, including Romani minorities internally displaced within Kosovo and many of the Romani minorities who have stayed in their original homes. Recent incidents in Uroševac/Ferizaj and Lipljan/Lipjan municipalities demonstrate that Romani minorities are still very much being singled out for attack.

I visited the town of Uroševac/Ferizaj, which, according to a recent study by the UNHCR, was home to approximately 5,560 Roma and Ashkalija living in four communities before the war. Of that number, approximately 4,200 remained at the beginning of September 2000. On September 2, however, two houses were burned down in the largest of these neighbourhoods, Halit Ibishi, which is mixed Albanian, Ashkali, and Romani. I spoke to an Ashkali staff person of an international organisation in Uroševac/Ferizaj who investigated the fires.

The staff person, M.B., told me that one of these houses was owned by an Ashkali family, the other by Roma. The Romani house was owned by two brothers, one of whom was married with three children and lived on one side of the house. The other brother, who was known to be mentally ill, was single and lived on the other side. The married brother had gone to Macedonia with his family to receive medical treatment. The remaining brother stayed in the house by himself. On the morning of September 2, he had gone to the market and left the house empty. When he returned, the house had been burned. On the property was another "room" – a shed in the front yard – and an international organisation, responding to the fire, suggested to the man that they fix it up in order for him to have somewhere to live. When the organisation's representatives returned, the man had left and the place had been entirely looted – even the roof of the shed had been taken. Neighbours said that the man had left the country.

The second case, which occurred on the same date, involved a house owned by an Ashkali family which lives out of the country. Relatives of theirs, a family of five, were living in the house. This family had left for the evening to visit relatives in a village; when they came back the next day, they found that their house had been burnt. They have stayed in the neighbourhood. While they had expressed interest when UNHCR proposed, soon after the event, that their house be repaired for the winter, a UNHCR representative later told me that their house was entirely looted after they moved out, to the extent that even the wooden window frames were taken. The family subsequently changed its mind about repairing the house and as of the date of this writing – September 24, 2000 – was trying to leave the municipality.

In both cases, neighbours told M.B. that they hadn't seen anything and didn't know who had set the fire. M.B. suspects a group of Albanian men who spend time at a neighbourhood kiosk, repeating allegations that this group of men has shot into people's houses and is rumoured to have committed other arson attacks. The group of

* *Emily Shaw is ERRC local monitor in Kosovo.*

men have apparently been arrested once, held for several days, and then released. M.B. also says that no one in the neighbourhood would dare report them if they had heard anything. M.B. believes that when UNMIK [United Nations Mission in Kosovo, which acts as Kosovo's civil administration] police responded to the fire, the neighbours probably told them they saw nothing and gave no additional information about who they might have suspected.

M.B. believes that neighbours would be scared to relate their suspicions about the group of men to the police, as the information would have to be relayed through the police officer's Albanian interpreter. If the interpreter happened to be a friend of this group and revealed who had informed on them, this informant would be killed. While M.B. has heard that this group of men also threatens Albanian families, none of their houses have yet been burnt.

I also spoke with M.B.'s supervisor about the incidents and the supervisor revealed a further event of concern. The supervisor reports that M.B. and another Ashkali employee of a different international organisation were canvassing the Halit Ibishi neighbourhood soon after the house burnings, inquiring whether Ashkali and Romani families planned to send their children to school. An Albanian man reportedly approached the two and asked them what they were doing. When they told him, he reportedly said, "You international organisations are only interested in Roma and Ashkalija, you don't care about us (Albanians). We burn down your houses every month, or every week. We need to burn down your houses every day until every single one of you leaves." The workers left the neighbourhood immediately and told the supervisor about what had happened. The supervisor wanted M.B. to report the incident immediately to UNMIK — particularly as this man's comments revealed that he probably had more information about who had committed the arsons — but M.B. refused, being too frightened to do so.

According to the UNHCR clerk who conducted the aforementioned population study, over 250 Roma left town following the house burning. The remaining Romani community is reportedly very anxious and has been unwilling to put forward anyone as a community leader to interact with international organisations, unlike the other Romani minority communities in the area.

Mali Alas village, in Lipljan/Lipjan municipality, has also witnessed a series of attacks against Romani minorities. On August 17, three members of an Ashkali family were killed and one wounded when unknown persons placed a booby-trapped mortar round in their backyard. KFOR undertook an investigation but no suspects have yet been reported. In the same village, an Ashkali man was wounded on September 14 by the detonation of a booby-trapped bomb tied to his fence. A Romani man in Lipljan/Lipjan also found a booby-trapped grenade on his gate on September 6, but KFOR was able to defuse it before it exploded. According to the UNMIK Civilian Police Daily Situation Reports, the house of a Romani minority family in Stimlje village of Lipljan/Lipjan municipality was damaged by an explosion on August 20; there were no injuries.

According to UNHCR, Mali Alas has been targeted for a return project by an international NGO which hoped to assist the return of a number of Ashkalija displaced from Mali Alas who were still living in the Lipljan/Lipjan area. A UNHCR representative told me that she suspects that the attacks were committed with the intention of halting the return process. This set of attacks is of extreme concern, both because of their severity and because of the potential connection to a return project. Other NGOs are undertaking similar small-scale return projects across Kosovo and a strategy must be put in place for all of them in order to prevent further loss of life.

Also of particular concern is the attitude encountered a number of times during our investigations that co-operating fully with UNMIK police is too dangerous to risk. Particularly for Ashkalija I spoke to, it was thought to be far preferable to go to the TMK [the "Kosovo Protection Corps" — the Kosovar emergency-response organisation which is officially under UNMIK and KFOR supervision] than to contact "the internationals". In Mitrovica, one man in the Ashkali community was beaten coming home from work on September 8 by a group of four Albanian men who he thought were under twenty years of age. He was hit in the face and kidneys, he said, and three days later still had dark bruises on his face.

He told me that the attack was completely unprovoked and that he had known one of his attackers, a man who had always been friendly before. He was confused about why it had happened, he said, and was sure that it had been a mistake. When asked if he had gone to the police, he said no, that would just make matters worse: "I'm scared that the police will do something to that guy, and that this will cause more trouble." He had instead sent a friend to TMK to ask that something be done about it. The friend reported that TMK said they'd take care of it and that it would not happen again.

In reference to this incident, the leader of this community told me that they were "interested in making a strong connection between the Ashkali and Albanian communities, not with the UN and KFOR." The apparent importance of TMK in resolving police matters is of serious concern, for several reasons. First, according to UNMIK regulation No.1999/8, TMK is explicitly forbidden from undertaking policing activities: "The Kosovo Protection Corps shall not have any role in law enforcement or the maintenance of law and order," (Section 1.1.2). The fact that the TMK are clearly engaging in policing activities anyway points to the lack of control held by KFOR and UNMIK over the TMK. This is extremely dangerous given that the TMK is made up mainly of Kosovo Liberation Army (KLA) veterans and reportedly retains much of the KLA command structure. That minority communities perceive the TMK as a rival authority – and, moreover, one with more legitimacy than UNMIK – indicates the extent of their power more than a year after the UNMIK government's installation.

Second, it is highly questionable how effective TMK is in ensuring the security of Romani minorities. When we asked whether this was the first attack experienced by a member of the Mitrovica Ashkali community, the community leader revealed that no, last summer there had been another incident. The TMK itself had reportedly taken two members from the community and beaten them. The community leader felt that it had been resolved acceptably, however, since they had only been "a little" beaten and then were released, as TMK realised that it "had made a mistake."

UNMIK, in co-operation with OSCE, is currently training a number of Kosovar officers to become members of the Kosovo Police Service. In addition to securing legitimacy for its own officers, UNMIK must find a way to ensure that the new Kosovar officers are viewed as the legitimate source of policing authority.

However, it must also be mentioned that the recent attacks are not occurring uniformly across Kosovo. Communities in certain areas have been repeatedly targeted, while other areas appear to be relatively quiet. Some municipalities have in fact witnessed small-scale return of Roma and Ashkalija to their original homes. UNHCR has adopted a "non-promotion of return" position with regard to Kosovar Romani minority refugees living outside of the country, according to a representative who spoke to me. She explained that this means that while the organisation is not actively encouraging Romani minorities to return, it will assist them in cases where the refugees request help in coming back to the province. The representative said that the refugees interested in return typically had family members still living in their home communities and appeared to be receiving information about the viability of return from these family members. (The representative said that UNHCR also performed its own pre-return assessment in potential return areas.)

Though employees of the UNHCR have agreed to assist Romani minorities who actively initiate a return to the province, the organisation recognises that security varies widely from village to village and the situation could easily turn violent for any of the returnees. For that reason, UNHCR recently told the UN Committee on the Elimination of All Forms of Racial Discrimination (CERD) that they advocate "[...] the recognition of Kosovo Roma as refugees or persons in need of international protection [...]." With UNHCR arranging "go-and-see visits" and procuring money for reconstruction of the refugees' houses, therefore, some Romani minority refugees have left Macedonian and Montenegrin refugee camps and returned to their homes. I was unfortunately unable to speak to any of these recent returnees. The UNHCR representative had heard no reports of violence against the returnees and considered them successful. She thought the success of these returns could be attributed to several factors, including the fact that there was a significant Romani minority community already present in the return locations, that Kosovar Albanian neighbours had been consulted before the return and their good will towards returnees verified, and that UNHCR had maintained a low profile with this return project outside of the immediate community. According to UNMIK Civilian Police (CivPol) Daily Situation Reports, there have been no reports of attacks against Romani minorities in the location where many of the UNHCR-assisted returns have happened. However, in light of the problem of severe under-reporting of abuses against Romani minorities, these reports may not be accurate: returnees require constant, active monitoring by international agencies and non-governmental organisations.

Outside of the immediate incidents, other trends indicate the potential for further violence against certain groups of Kosovar Romani communities. Efforts have continued towards cementing the division between Roma, Ashkalija, and Egyptians.

While opinions vary on how ethnically distinct these groups actually are (the claim to ethnically separate identities depends on a controversial and undocumented history), the present reality is that these groups have developed separate political identities. Kosovar Roma have become known as the Romani minority which speaks Serbian and Romani and is most frequently accused of having collaborated with the Yugoslav Army. The Kosovar Ashkalija speak Albanian, reportedly do not speak Romani, appear to have had stronger ties to the KLA, and presently have stronger ties to the TMK. The Kosovar Egyptians seem to occupy a middle ground, reportedly speaking both Albanian and Romani. The efforts particularly on the part of Ashkalija to distance themselves from Roma (and, in some cases, Egyptians) leaves these different ethnic "subgroups" open to different levels and types of crime. It also gives them different attitudes towards the TMK, UNMIK, and KFOR. Meanwhile, KFOR and UNMIK CivPol reports currently list members of all Romani minorities as "Roma" – which, insofar as it does not help to identify dangers for particular Romani subgroups, is insufficient.

In view of the coming elections, the potential for violence against members of Romani minorities seems to be increasing. International organisations must take into account the number and severity of attacks still being experienced by Romani minorities in their plans for assisted return and protection. Kosovo is still a very dangerous place, especially for Roma, and until the communities receive credible, effective protection there is no reason to believe the violence will stop.

Order the *ERRC* Kosovo compilation containing materials published by the *ERRC* in 1999 from:

ERRC
H-1386
Budapest 62
PO Box 906/93
Hungary

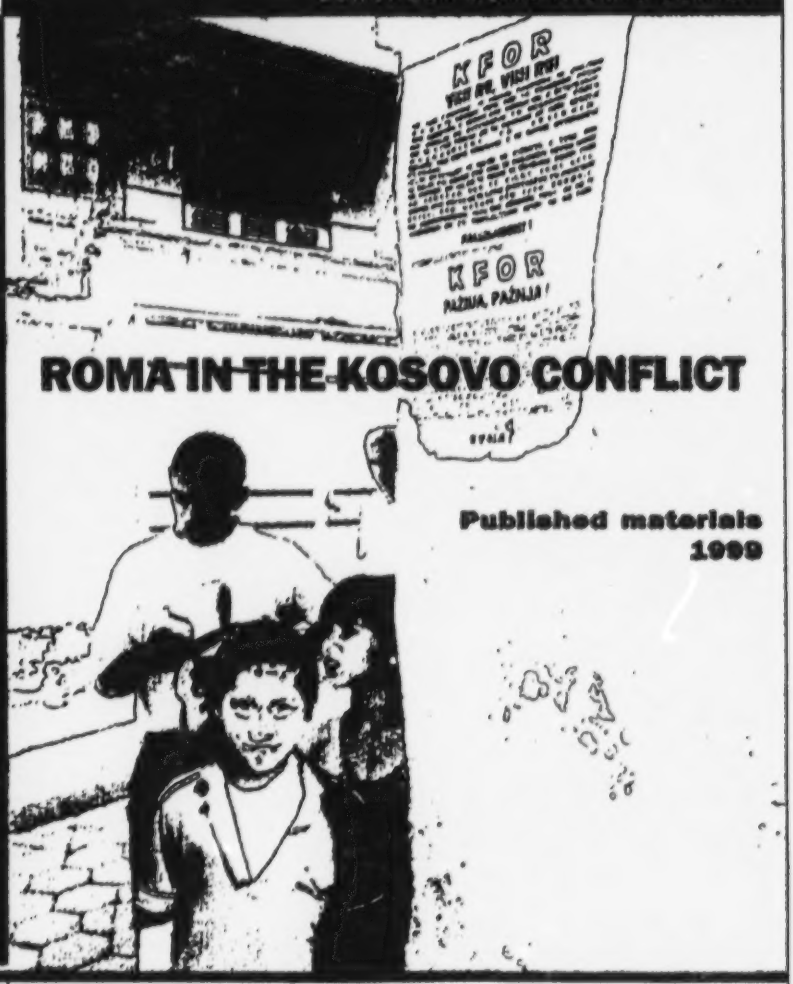
The ERRC requests a donation of 10 USD / euro per copy to cover the printing and mailing costs to our bank account:

European Roma Rights Center
Budapest Bank Rt.
99P00402686
1054 Budapest
Báthory utca 1
Hungary

or download it from our website at

http://errc.org/

EUROPEAN ROMA RIGHTS CENTER



BEST COPY AVAILABLE

Testing to prove racial discrimination: methodology and application in Hungary

Fitsum Alemu*

WHEN discrimination occurs in Hungary today, it is often subtle and clandestine. Direct evidence of discrimination is rare, and where such direct evidence exists, corroboration is even more rare. As a result, those complainants who allege that they have been subjected to discrimination are not likely to be able to confirm the discriminatory intent of the employer, bar owner or realtor. "Testing", a technique developed primarily in the United States, can be enormously helpful in proving facial discrimination and disparate impact cases.[1] Testing can be used for auditing purposes, to monitor compliance with settlements in earlier cases and to challenge discrimination in court. In the recent *Patvárc* case, a Hungarian court recognised for the first time testing as a valid technique for documenting discrimination.[2] The court heard "testers" as witnesses and accepted the results of testing as evidence pertaining to a complaint filed by two Roma concerning allegations of discrimination in public accommodations.

WHAT IS TESTING?

Testing is a technique that is used to collect evidence when there is an allegation of discrimination. Testing is used mainly by civil rights organisations to uncover unlawful acts of discrimination. It is applied if a member of a protected class group suspects disparate treatment on grounds of his or her national origin, religion, gender, the colour of his or her skin, or other characteristics covered by legal prohibitions on discrimination. It is applied to gauge the existence or extent of discrimination in employment, housing, public accommodation or, indeed, any other area of social life.

There are two kinds of testing: research-oriented testing, which is used for auditing, and enforcement-oriented testing, which uses the results of testing to file a law suit or monitor compliance with injunctive relief. In enforcement-oriented testing, it is often appropriate to perform repeated tests of the same job vacancy, the apartment at issue, or the bar or club suspected of refusing to serve based on racial grounds. The goal of repeated tests is to assess the nature and extent of discrimination in anticipation of litigation, principally to determine whether the observed differences in treatment were isolated or reflect a pattern or practice of discriminatory behaviour.[3]

THE TEST AND THE TESTERS

In enforcement-oriented testing, first litigators should discuss the case with the complainant to draw up questions to be addressed by testing. One should also collect all materials concerning the firm or the club being tested, such as licences and earlier complaints against the firm, as well as legal provisions and case law. Then the selection and training of testers begins.

Testers are objective fact-finders who, after extensive training in both the classroom and the "field", conduct testing to uncover discrimination. A test requires two testers: a "protected tester" and a "comparison tester". A protected tester is a member of a protected group, and a comparison tester is from a non-protected group. For example, in cases alleging discrimination against a Romani person, a Romani person would serve as a protected tester, while a non-Romani person would be in the role of a comparison tester. In a case of gender discrimination against a woman, a woman would be in the protected tester status while a man would be in the role of comparison tester. In general, testers should be quite similar. The *key* difference should be the quality at issue in the "test", for example, the race or national origin of the tester where racial discrimination is alleged.

Training should include practice testing under close supervision, orientation about the uses of testing results to enforce civil rights laws and information regarding the nature of legal procedures in which testers may eventually be involved. During the training, paired testers should work closely with each other, get to know each other, and develop a sense of teamwork. Testers should be asked to declare explicitly

---

* *Fitsum Alemu has been a staff attorney at the Budapest-based non-governmental organisation* Legal Defence Bureau for National and Ethnic Minorities (NEKI). *He has been involved in a joint project of* ERRC *and* NEKI *aimed at developing strategic anti-discrimination litigation.*

that they accept the roles in the project as objective fact-finders, and to promise to maintain confidentiality.

Testers conduct their tests on the same day, posing as *bona fide* job or home seekers, for example. In the process of the test, testing team partners are sent at closely spaced intervals[4] to seek information about a job, an apartment or the availability of a certain service. When conducting a test, testers should dress appropriately for the occasion. In testing employers, each tester should take actions that are comparable to those likely to be undertaken by his or her paired partner while still following the natural flow of each job application process. For instance, the protected class should apply first for the job at issue either by telephone or in person. Tailoring testers' conduct to the particular circumstances of each job application, maintaining a clear and complete record of the test experience, and ensuring that each tester acts in ways comparable to his or her partner is necessary to obtain evidence for litigation.

Testers record their experiences on assignment forms immediately after completion of each test. The report filed by each tester should include detailed information about job or housing availability, the application process, terms and conditions, questions asked by the tester and information volunteered by the agent or the employer. Beyond answers to the questions in the report forms, it may be worthwhile to request that testers write a detailed narrative description of their experiences during the test.

The forms on which testers record their experience should include at least the following: the time of application; information demanded of applicants (e.g. the length of interviews, the characteristics of interviews, questions asked at interviews); the flow of information (e.g. information provided spontaneously, information that had to be requested); how applicants are treated (e.g. length of time they must wait, level of hospitality offered); manner in which jobs are described (e.g. discussion of salaries and benefits, the length of employment, and so on).[5] Such well-organised testing aims at examining minute, discrete components of the hiring process and can be used to corroborate as well as dispel allegations of discrimination that have been levelled against an employer. Evidence of the ultimate disparity – that one tester was offered a job while the other was not – should be documented as carefully as possible.[6]

It is not the role of the tester to determine whether or not discrimination has occurred, but rather to act as an unbiased recorder of information. Only the test coordinator (the organisation or the attorney) can evaluate whether or not differential treatment has taken place. During the test, the tester should refrain from making any leading remarks about race or ethnicity in the neighbourhood, in the work place or the club they are testing; testers should be observant, meticulous record-keepers so that their experiences will be completely and accurately documented. They should record their experiences independently and should not discuss their experiences with each other until after they have been documented. Under no circumstances should a tester discuss the testing experience or the institution tested with anyone unless authorised by the test coordinator or ordered by a court. If differential treatment is established, then the organisation can file a lawsuit against the perpetrator.[7]

Enforcement-oriented testing may call upon testers to serve as plaintiffs and witnesses in litigation. This imposes at least three additional considerations in selecting testers. First, the personal backgrounds of testers must be free from any difficulties that might reduce their credibility as witnesses. Second, testers must be sufficiently articulate to present their experiences clearly in written witness statements and oral testimony. Third, because litigation may last for several years, testers must be willing to remain in contact with the testing program and return periodically to participate in legal proceedings over an extended period.[8]

Though finding capable and dedicated individuals to serve as testers is difficult, experience shows that it is possible. Some organisations hire students from local universities. Others hire research assistants to conduct tests. Most, however, identify candidates through personal referrals rather than open advertisements.

TESTING IN U.S. CASE LAW

Starting in the 1960s, U.S. courts decided a number of important cases that recognised testing as an effective means and, in some instances, the only method of proving discrimination. Today, testing is uniformly accepted by lawmakers, courts and administrative bodies in the U.S.

Standing

Despite the power of testing as a basis to challenge discrimination, perhaps because of that power, the use of testing to prove discrimination has come under considerable attack.[9] Opponents argue that the tester has no standing. Others say testing is improper and even unethical because it involves deception. U.S. courts have dismissed most of these arguments and found that testers have standing, and that they are harmed if they are denied services or given false information about the availability of jobs or housing. For instance, in *McDonnell Douglas Corporation v. Green*,[10] the U.S. Supreme Court found that when testers received differential treatment mirroring the allegations of discrimination, an inference of discrimination may be drawn. Some other courts ruled that testers have the same right to truthful information about the availability of possible contracts under Section 1982 of the Civil Rights Act[11] as anyone else, and they have the same right to negotiate for such contracts.[12]

In *Evers v. Dwyer*[13] the Supreme Court reversed a lower court's decision and held that a black man who chose to sit in the white section of a segregated bus solely to test the lawfulness of the segregation policy suffered harm protected by civil rights laws. In this case, the appellant boarded a Memphis bus on April 26, 1956, and seated himself at the front of the vehicle. The driver told him he must move to the rear, "stating that the law required it because of [his] color."[14] Following the appellant's refusal to comply, two police officers boarded the bus and "ordered [the appellant] to go to the back of the bus, get off, or be arrested."[15] After this warning, the appellant left the bus. The lower court accepted the defendant's argument that Mr Evers could not have standing and allege an actual controversy because he "boarded the bus for the purpose of instituting this litigation," and therefore was not "representative of a class of coloured citizens who used the buses in Memphis as a means of transportation."[16] In overruling the District Court, the Supreme Court held there was an actual controversy because Mr Evers was subject to "special disabilities" and therefore had a "substantial, immediate, and real interest in the validity of the statute which imposes the disability."[17]

In its decision in *Pierson v. Ray*,[18] the Court found that a black man had been harmed when he was arrested after entering the segregated section of a bus station with the purpose of testing the legality of the segregation policy. Further, in *Havens Realty Corporation v. Coleman*,[19] the Court reached a landmark unanimous decision upholding the standing of testers and the fair housing organisation to bring suit under the Fair Housing Act.[20]

Testing to prove disparate treatment

U.S. courts have found discriminatory intent behind the "neutral" actions of individuals or local authorities.[21] For example, the use of "VIP cards" and "VIP entrances" by some hotels, restaurants and clubs to mask discriminatory practices,[22] and asking for proof of age from people of colour or imposing a dress code[23] to delay or prevent admission of people of colour were struck down based on the discriminatory intent of the acts.[24]

In the U.S., testing has been shown to be one of the most effective tools for proving discrimination in such cases. For instance, in 1989 the Washington Lawyer's Committee working with the local community and Howard University experts adapted testing to prove discrimination in the provision of taxicab services in the District of Colombia. This work involved substantial research using paired teams to test for discrimination in (1) the refusal of service because of a passenger's race and (2) the refusal to transport passengers to predominantly black neighbourhoods.[25] Over the course of two and a half months, the team trained and carefully matched teams of black and white testers, who ultimately conducted 292 tests. The test results showed that taxis failed to stop for black testers in 20% of the tests, while cabs passed white testers during only 3% of the tests.[26] Drivers also commonly refused to bring black and white testers to predominantly black neighbourhoods in the District of Colombia.[27]

As a result of the testing, litigation was undertaken against three cab companies whose practices reflected particularly high levels of discrimination. On the eve of the trial, the suits were settled. The settlement included a payment of nearly $50,000 in damages and significant injunctive relief. In this case, the court ruled for the first time in U.S. history that the cab companies could be held liable for discriminatory conduct of their drivers.[28] Following this litigation, the District of Columbia Department of Human Rights inaugurated an ongoing program to test

the delivery of taxi services and, where necessary, to initiate charges against companies employing discriminatory activities.[29]

Testing was also applied to obtain evidence to prove the allegation of black secret servicemen against some chains of Denny's restaurant that they had suffered discriminatory treatment. The case was settled out of court, and the company paid $54 million to the plaintiffs for damages and $1 million to civil rights organisations to defray expenses.[30]

Awarding damages

The amount of damages awarded by courts has grown dramatically since the first cases in which testing was used to successfully prove discrimination. In the mid-1970s, settlements in discrimination cases involving the payment of several dollars, as token payments, were generally considered substantial victories.[31] However, by 1990, the Fair Housing Council of Greater Washington (FHCGW)[32] had secured more than a dozen settlements or verdicts of over $20,000 each, and recoveries in several cases have exceeded $100,000. In the majority of these cases, tester evidence was a decisive factor in the court victory.

The Supreme Court concluded in *Davis v. Mansards* that the fact that the plaintiff is a tester "does not affect the measure of her actual damages . . . [i]n 1984, no one should have to toughen themselves to racial discrimination – a tester has no reason to expect mistreatment at the hands of ostensibly fair minded businesspeople."[33] Compensatory damages granting relief for lost employment opportunities, embarrassment and humiliation resulting from discrimination have also been awarded to testers as well as to the organisations overseeing their activities. For example, in *Bryant v. Kay Brothers Builders*[34], the court awarded compensatory damages to housing testers.

Today, in nearly all of the states in the U.S., there are organisations that regularly use testing to prove discrimination in employment, housing and public accommodation cases. They publish the results of the testing, use them to monitor compliance with injunctive relief and to challenge discrimination in administrative or court procedures. Tester evidence has provided a higher level of proof than previously attainable.[35]

HUNGARIAN LAW AND PRACTICE CONCERNING TESTING

In today's Hungary, even members of the majority population often have difficulty fitting the criteria set by employers and finding gainful employment. Race discrimination – explicit or covert – often raises the opportunities for minorities to find work to the level of near impossibility.

Hungarian law allows the use of testing to obtain evidence, gives testers standing as plaintiffs, permits testers to be called as witnesses, and allows the tester's report to be attached as documentary evidence. First of all, Article 164(1) of the Hungarian Code of Civil Procedure orders that, "the facts required for the adjudication of a case must be proved usually by the party who is interested in their acceptance by the court." The same law also demands that "unless otherwise provided by the act, a court is not bound to formal rules of evidence in a civil action, and is free to use presentations of the case by the parties as well as all other evidences fit for detecting the facts of a case."[36] Under the principle of "the right to evaluate evidence freely," in Hungary, the court is not bound to any specific type of evidence. Individual testimonies pertaining to how facts in a case were obtained are considered, under Hungarian law, valid as evidence.[37] Hungarian law also provides that either in theory or in practice, "documentary evidence is considered to be evidence since it carries the thoughts of a human being."[38] The law also provides that, "the plaintiff could file an action by his name or – under authorization – on behalf of others."[39]

Using testing in employment discrimination cases in Hungary

The *Legal Defence Bureau for National and Ethnic Minorities* (*NEKI*), the organisation for which I work, in cooperation with the *ERRC*, applied testing in 1999 in the *Lajos B.* case. Mr. Lajos B., a Romani university student, read an advertisement in February 1999 that there was an opening at *T. Ltd.* to distribute leaflets. He called the company and was told that there was a vacancy, and that he could come for an interview. After he filled out an application form, he was told that they would call him. After a few days he learned from the company that there was no longer a job vacancy. In his complaint he alleged that he had not been hired for the job because of his Romani origin.[40]

To prove disparate treatment in this case, we decided to test the company's job application process. The testers applied for the job in the same manner as the complainant had done before, i.e. they called first, then went to inquire about the job in person. The first testers applied for the job on April 29, 1999. Mr Béla C., a Romani man, called the firm, followed by Mr Péter B., a non-Romani man, half an hour later. Both then went to the company, filled in the application forms and were told to call back later. Mr József R. and Mr Roland T., Romani and non-Romani testers respectively, applied on May 4, 1999. All four applicants called the company and discovered that the non-Roma had been recruited, whereas the Roma had not. The recruited testers signed contracts and were given leaflets for distribution. To further document the discrimination, we asked the testers not to carry out the job but to return the leaflets, saying that distribution was too difficult. The same day we sent another Romani tester, knowing there was certainly work to be done. He also filled in the application forms, and he too was later turned down by the company by telephone.[41]

Because of a lack of evidence, it was difficult to prove the specific complaint of Mr Lajos B. and did not file on his behalf. Instead, we filed an action on behalf of Mr József R., who was a tester, as well as a *bona fide* job seeker. In the submission it was argued that the employer had violated Article 5 of the Hungarian Labour Law[42] and many international laws to which Hungary is party. The submission asked the court to declare the occurrence of the infringement, order the company to employ Mr József R., have the infringement discontinued and the perpetrator restrained from further infringement, and order the company to pay a fine to be used for public purposes,[43] since some other Roma had also allegedly been the victims of the company's discriminatory behaviour. In addition to the written submission and evidence, the Labour Court also heard the witness testimony of the plaintiff. In its decision, the court found that there had not been an employment relationship, but rather an independent contractual relationship, an issue which is not covered by Hungarian Labour Law. The court, therefore, ordered the remittal of the case to a civil court. The plaintiff filed an appeal with a second instance labour court of Hungary. The case was pending as of October 11, 2000.

Using testing in public accommodation cases

The reports of civil rights organisations and the Office of the Minority Ombudsman show that immigrants and Roma also suffer discrimination in public accommodation in Hungary. However, the lack of anti-discrimination provisions specifically prohibiting discrimination in public accommodation, a lack of case law, and passivity on the part of public administrators such as consumer protection officers or town clerks make it difficult to obtain remedies in such cases.

Despite these difficulties, *NEKI* has conducted more than twenty tests to prove discrimination in public accommodation. In Patvárc and in Szikcó (a town where Roma were reportedly not allowed to enter a disco), *NEKI* sent pairs of Romani and non-Romani testers to discos, pubs and restaurants against which allegations had been made.

In *NEKI*'s tests for discrimination against Roma in public accommodation, forms requested that testers provide the following information: the time of the testing, details on the behaviour of the security personnel and the owners of the bars such as the information or documents they had requested from the tester; reasons for denying services; and any use of racial epithets or other derogatory remarks about the tester. Concerning services, *NEKI* requested that testers provide a written record of whether the bartender took the tester's order, and if so, how long the tester had to wait to be served. Concerning the bar's complaint book, *NEKI* requested that testers record whether the book was accessible, and whether the owner or the bartender provided the book for use when the tester wanted to record his complaint. If the bar did not provide the complaint book, the *NEKI* forms asked testers to provide the reason for the denial.[44]

After repeated testing and evaluation of the assignment forms, *NEKI* initiated administrative procedures in the Consumer Production Office, and at the same time filed an action in courts against the owner of the restaurants. Though in both cases, the discriminative action of the bar owners targeted the Romani community, there is no provision in Hungarian law to allow the possibility of a class action lawsuit. For this reason, *NEKI* always asks the court to order the perpetrator to pay a fine to be used for public purposes, as well as to rule that the infringement be discontinued and the perpetrator restrained from further infringement. In the

future, *NEKI* would like to see changes to the Hungarian legal regime, such that damages or fines will be used directly in the community affected by the discriminatory act or acts.

CONCLUSION

Although the Hungarian legal system is not a precedent-based one, the decision in *Patvárc* is path breaking and encourages civil rights organisations around Europe to apply testing to prove discrimination. Before organisations adopt this method, however, it is necessary to study its history and effectiveness in the U.S., as well as in other countries where testing has been successfully used. Research into domestic civil law, and civil procedure law as well as laws on evidence is also necessary to determine effective strategies in cases using testing. In order to ensure that testing remains an effective method for proving discrimination, the power of this tool should not be abused: it should not be used to harass entrepreneurs.

Beyond a particular case, the results derived from testing can inform a variety of public deliberations. Enforcement agencies can use testing results to measure the effectiveness of their efforts and to direct resources to those segments of the community where disparities in treatment are most pronounced. Similarly, legislators can rely upon testing results to assess the effectiveness of prohibitions on discrimination and to assess whether the allocation of resources is sufficient and well targeted to redress the discrimination at issue.[45] Governmental agencies can use testing as a component of their systemic investigation, or fund organisations which apply testing. Finally, companies can conduct self-testing in cooperation with civil rights organisations to avoid embarrassing and costly litigation.

ENDNOTES

1 See Boggs, Roderic V.O., Joseph M. Sellers, and Marc Benedick (Ph.D.), "The Use of Testing in Civil Rights Enforcement" (hereinafter: "The Use of Testing"), September 1991, p.26 (unpublished document). Facial discrimination: a kind of discrimination that occurs when a legal regulation, official measure, or an individual's intentional act directly aims at discrimination in any form against protected classes. Disparate treatment: a form of discrimination which occurs when individuals or state agencies treat protected classes less favourably because of their race, national origin, sex, religion or their social status, but the perpetrator denies the act. To prove this kind of discrimination the plaintiff generally must demonstrate that, for example, in cases of employment discrimination: (i) he is a member of a protected class; (ii) he applied for the job and wes qualified for a job for which the employer was seeking applicants; (iii) despite his qualification, he was rejected; (iv) and after his application was rejected, the position remained open and the employer continued to seek applications from persons whose qualifications were similar to those of the complainants, or later the position was filled by a member of a non-protected class with the same qualifications as the complainant. See Alemu, Fitsum, "Definition of Discrimination" in *White Booklet 1999*, p.76. For the purposes of this paper, "protected class group" will be used to describe persons whom laws shelter from discrimination, such as Roma, blacks, Latinos, persons with certain disabilities, members of families with children and so on.

2 See the decision of the Balassagyarmati City Court, 8.P.20.761/1999/18 számú ítélete, p.2. On February 17, 2000, the Court held that the refusal of a pub owner in the town of Patvárc to serve Roma had been discriminatory. Also see "Hungarian Court Finds Pub Owner Guily of Discrimination", "Snapshots from around Europe" Roma Rights 1/2000.

3 See "The Use of Testing," p.20.

4 First the protected class and then the non-protected class.

5 See *NEKI, Assignment Sheet to Test Employment Discrimination*, 1999; "The Use of Testing," pp.17-18; Essed, P. *Understanding Everyday Racism*, Newberry Park, CA: Sage Publications, 1991.

6 *Ibid.* p.17.

7 See Alemu, Fitsum. "Information for Testers," 1999 (unpublished document); and "Contract Between NEKI and Testers," NEKI, 1999 (unpublished document).

8 See "The Use of Testing," pp.10-14, and "Contract Between NEKI and Testers." *Op. cit.*

9 See "The Use of Testing," pp.38-44.

10 411 U.S. 793 (1973).

11 Section 1982 – Property Rights of Citizens: "All citizens of the United States shall have the same right, in every State and Territory, as is enjoyed by white citizens thereof to inherit, purchase, lease, sell, hold, and convey real and personal property."

12 See *Coel v. Rose Tree Manor Apartments, Inc.*, No. 84-1521, U.S. Dist. LEXIS 801 (E.D.Pa. 1988).

13 358 U.S. 202 (1958).

14 *Evers*, p.203-204.

15 *Evers*, p.204.

16 *Evers*, p.203.
17 *Evers*, p.204.
18 386 U.S. 547 (1967).
19 455 U.S. 363 (1982).
20 This case was initiated by Housing Opportunities Made Equal, a Richmond, Virginia-based human rights organisation that advocates fair housing.
21 See *Katzenbach v. McClung*, 379 U.S. 294 (1964), *Tillman v. Wheaton-Haven Recreation Association, Inc.*, 451 F.2d 1211 (1971), *United States v. Glass Menagerie, Inc.*, 702 F.Supp 139 (E.D.Ky. 1988), *New York v. Peter & John's Pump House*, 914 F.Supp 809 (N.D.N.Y. 1996) and *United States v. Cantrell*, 307 F.Supp 259 (E.D.La. 1969).
22 *United States v. Glass Menagerie, Inc.*, 317 F.Supp 139 (E.D.Ky. 1988).
23 *New York v. Peter & John's Pump House*, 914 F.Supp 809 (N.D.N.Y. 1996).
24 See also *U.S. v. Cantrell* in which a local ordinance prohibited bars and cocktail lounges from admitting "any military personnel in Uniform, as well as from selling any such person any food or beverages" to discriminate against black persons who frequented the bar. The act was found to be discriminatory.
25 See "The Use of Testing," p.6.
26 See Ridley, Bayton and Outtz, "Taxi Service in the District of Columbia: Is It Influenced by the Patrons Race and Destination?", p.17 (June 1989).
27 *Ibid*, pp.21, 27.
28 See *Floyd-Mayers v. American Cab Co.*, 732 F.Supp 243 (D.D.C. 1990).
29 See Wheeler, "Undercover Riders Gauge Prejudice of D.C. cabbies," in *The Washington Post*, Metro Section, July 17, 1990.
30 Sniffen, Michael J., Associated Press, "Denny's Agrees to Retrain Managers," April 10, 2000; *National Fair Housing Advocate*, February 1997; Fair Housing Council, Spring 1997 Report.
31 See Fitsum, Alemu, "Fair Housing in the USA and Hungary," in *Fundamentum*, 1998/1-2, pp.141-153.
32 A civil rights organisation that advocates fair housing issues. The author of this article worked with this organisation for three months as an intern.
33 597 F.Supp 334, p.347 (N.D. Ind. 1984).
34 C.A. No. B-86-354 (D.Md. February 18, 1988).
35 See "The Use of Testing," p.4.
36 Article 6 of the Hungarian Code of Civil Procedure.
37 Articles 166 and 173 of the Hungarian Code of Civil Procedure.
38 Kengyel Miklós, *Magyar Polgári Eljárás jog*, Osiris, 1998, p.269.
39 Article 2 of the Hungarian Code of Civil Procedure; Article 10 of Council of Ministers Decree No. 106/1952; No. 199 Civil Council Decision of the Supreme Court.
40 NEKI, *White Booklet 1999*, pp.34-36.
41 *Ibid.*
42 Article 5(1) of the Hungarian Labour Code bans discrimination in employment.
43 According to Article 78 of the Hungarian Civil Code and Article 100 of the Hungarian Labour Law.
44 NEKI, "Testers Assignment Form in Public Accommodation Discrimination," 1999 (unpublished document).
45 See "The Use of Testing," p.21.

EUROPEAN ROMA RIGHTS CENTER

Visit the *European Roma Rights Center* website:

WWW

http://errc.org

Check out our country and region index at http://errc.org/publications/countryindex/index.shtml/

- reports on the human rights situation of Roma
- articles, news and statements published in the newsletter *Roma Rights*
- *ERRC* case reports
- information about the *ERRC* and its activities
- grants and scholarships available from the *ERRC*

The *ERRC* website is updated regularly

BEST COPY AVAILABLE

Grants & donors

The following is a list of suggested grants and donors who support human rights work provided to assist partner organisations and activists find financial support for their work. This list is not comprehensive, but is intended to offer some suggestions for those seeking funding sources. The ERRC takes no responsibility for the veracity of information or credibility of the institutions listed below.[1] The list is current to August 14, 2000.

- **ART & MEDIA**
- **CENTRAL & EASTERN EUROPE**
- **EDUCATION**
- **ENVIRONMENT**
- **RESEARCH & TRAINING**
- **WOMEN'S RIGHTS**
- **WORLDWIDE**

■ ART & MEDIA

Eurocult
http://www.eurocult.org
Eurocult aims to promote cultural and educational activities, and its grants encourage artistic collaborative projects. It offers travel grants to young artists and art organisers from Central and Eastern Europe enabling them to work with colleagues from other European countries through exploring and planning projects. Eurocult's "Art for Social Change" is a program for professional artists who are interested in helping young people at risk empower themselves through the artistic process.

Witness
http://www.witness.org
The objectives of Witness are to prepare local groups to use video and new technology to document human rights violations, and to move human rights discussions to the centre of civic and political debate. Witness offers partnerships with organisations (and sometimes individuals) in training and advocacy for using video cameras and related technology, giving activists a forceful way to oppose injustice.

■ CENTRAL & EASTERN EUROPE

Catholic Organization for Development Cooperation
http://www.antenna.nl/bliance/
Support may be directed towards socio-economic, socio-educational and health care projects, or to emergency aid. This could include, for example: agricultural and food production; employment and income generation; housing and the provision of water; basic health care; human rights and legal assistance; social reconstruction; communications; informal education; the promotion of women; and protection of the environment. (HRI)

Eurasia Foundation
http://www.eurasia.org
The Eurasia Foundation promotes the advancement of democratic institutions and private enterprise in twelve host countries: Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, the Kyrgyz Republic, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan. The Eurasia Foundation encourages citizens to take responsibility for their own civic and economic future, and its programs seek to promote the skills and vision necessary to bring the greatest social and economic benefits to individuals and their societies.

Rockefeller Foundation
http://www.rockfound.org
The Foundation's work is divided among the following program areas: the arts and humanities; equal opportunity; agricultural sciences; health sciences; population sciences; global environment. The Foundation's grant and fellowship programs also

support work in building democracy, international security, international philanthropy, and other special interests and activities.

Soros Foundation Network/Open Society Institute
http://www.soros.org/intlinit.html
International initiatives within the framework of organisations supported by George Soros consist of the following categories: purely international initiatives concerned with topics of interest for the larger world community, for example migration and landmines; initiatives which deal with the arts and education, such as science education and the Documentary Fund; and country-specific funds; initiatives that deal with a limited geographic area, such as Burma and Central Eurasia.

Swiss Agency for Development and Cooperation
http://www.sdc-gov.ch/
The objectives of the Swiss International cooperation are to "support the efforts of developing countries to improve the living conditions of their population and to assist these countries in ensuring their own development". The main themes of the Swiss development cooperation are: a) safeguarding and maintaining of peace and security together with the promotion of human rights, democracy and the rule of law; b) promoting prosperity and strengthening of the general conditions for sustainable development; c) improving social justice (particularly in regards to women); d) protecting the environment. (HRI)

■ ENVIRONMENTAL RIGHTS

Global Greengrants Fund
http://www.greengrants.org
Global Greengrants Fund aims to protect the global environment by strengthening the grassroots environmental movement in grassroots nations with small grants. Grant recipients must demonstrate a clear commitment to raising awareness about the threat to the global environment and activist programs to address that threat locally.

■ RESEARCH & TRAINING

Carnegie Endowment for International Peace
http://www.ceip.org
The Endowment conducts programs of research, discussion, publication, and education in international affairs and U.S. foreign policy.

International Human Rights Internship Program
ihrip@ile.org
The International Human Rights Internship Program (IHRIP) seeks to promote observance of the International Bill of Human Rights by helping to strengthen human rights organisations. It supports professional development projects for staff of organisations and training opportunities for individuals committed to human rights protection and promotion. The program supports professional development opportunities for human rights organisations' staff members and volunteers by providing grants. The purpose of such grants is to enable organisations to strengthen specific areas of their work through enhancing the professional skills of their staff and volunteers. (HRI)

International Research and Exchange Board
http://www.irex.org/grant-opps/index.htm
International Research and Exchange Board offers grants for those studying issues of policy research and development in Central and Eastern Europe and Eurasia.

Kennan Institute Research Scholarships
gigliole@wwwic.si.edu
The Kennan Institute offers 3-9 month duration scholarships for academic research on topics in Eurasian studies. Recipients are those who have completed a doctoral degree or, for non-academics, an equivalent degree of professional achievement. Recipients must be U.S. citizens or permanent residents.

MacArthur Foundation
http://www.macfound.org
Research and Writing Grants for Individuals under the Initiative in the Independent States of the Former Soviet Union is an annual grant competition designed to support original innovative research and analysis which have practical applications and policy relevance for pressing societal issues in the region. Areas of research must be one of the following: law and society, human rights, environment and society, or peace and security.

Oak Institute for the Study of International Human Rights
Colby College, Waterville, Maine, USA.
oakhr@colby.edu
The purpose of the fellowship program at the Oak Institute is to offer an opportunity for prominent practitioners in international human rights to take a sabbatical leave from their work and spend a period of up to a semester as a scholar-in-residence at the College. (HRI)

U.S. Holocaust Memorial Museum Fellowships
The Charles H. Revson Foundation Fellowships for Archival Research
http://www.ushmm.org/research/fellows.html
Grants to utilise new archival acquisitions of the Museum and proposals for research on the fate of Roma and Sinti, Jehovah's Witnesses, Poles and other groups specifically targeted by the Nazis.

■ WOMEN'S RIGHTS

Global Fund for Women
http://www.globalfundforwomen.org
The Global Fund for Women's grant program focuses on strengthening women's rights groups around the world. Their grantees address a wide variety of issues critical to women. Some of these are women's political participation and leadership, poverty and economic opportunity, women's rights in religious traditions, reproductive health and choice, lesbian rights, disabled women's rights, violence against women, and access to communications technology and to the media. The Global Fund supports organisations which demonstrate a clear commitment to women's equality and female human rights; consist of a group of women working together rather than an individual; and are governed and directed primarily by women.

Mama Cash
http://www.mamacash.nl
Under the slogan "Ideals need money, too," Mama Cash funds the establishment of new women's groups and women's projects in the areas of women's human rights, sexual rights, communication and media international networking.

■ WORLDWIDE

Carthage Foundation
http://www.scalfe.com/carthage.html
The Carthage Foundation awards grants to programs that will address public policy questions concerned with national and international issues. There are no geographical restrictions.

Charity Know How
http://www.charityknowhow.org
Charity Know How makes grants to foster skill-sharing partnerships between voluntary organisations. There is a growing emphasis on the development of management skills, strategic planning, fundraising, and information services. It helps train volunteers and employees of charities in all aspects of running a non-profit group, including budgeting, feasibility studies, program planning, personnel recruitment, volunteer management, training workshops, professional development, education programs, and so on. Charity Know How assists NGOs

working in the areas of, among other things, environmental education, street children, primary health care, the arts, animal welfare, conflict resolution, and homelessness. (HRI)

Charles Stewart Mott Foundation
http://www.mott.org
The mission of the Civil Society program is to strengthen citizen and non-profit sector engagement in support of free and pluralistic democratic societies, with primary geographic focus on the United States, Central/Eastern Europe and Russia, South Africa, and at the global level. The program goal for Central/Eastern Europe and Russia is to contribute to democratic, pluralistic societies in Central/Eastern Europe and Russia, principally through support of the non-profit sector, citizen engagement and improved ethnic relations.

Cottonwood Foundation
http://www.presenter.com/~cottonwd/
Awards grants to organisations that meet all four of the following criteria: protect the environment, promote cultural diversity, empower people to meet their basic needs, and rely on volunteer efforts.

Echoing Green Foundation
http://www.echoinggreen.org/about/index.html
Echoing Green offers fellowships to emerging social entrepreneurs. The Foundations applies a venture capital approach to philanthropy by providing seed money and technical support to individuals creating innovative public services projects that seek to catalyse positive social change. Echoing Green invests in entrepreneurs' projects at an early stage, before most funders are willing to do so, and then provides them with additional assistance including media support such as the Internet, conferences, site-visits and phone contact.

The Ford Foundation
http://www.fordfound.org
The Ford Foundation is a resource for innovative people and institutions worldwide. The Foundation's goals include strengthening democratic values, reducing poverty and injustice, promoting international co-operation, and advancing human achievement globally.

Funding Exchange
fexexc@aol.com
The Funding Exchange's grantmaking supports community organising for social change and considers proposals from projects that: work for a more equitable distribution of power and wealth in society; organise in communities and workplaces around basic economic and social issues, or provide resources for such organising; work actively against those oppressions based on class, race, gender, sexual orientation, age, and physical or mental ability; operate in a democratic manner and involve the constituencies that they serve in their leadership as well as membership; and that have little access to traditional sources of funding (HRI)

GE Fund
http://www.ge.com/fund/ibfuna1.htm
The GE Fund is a catalyst, supporting programs that provide for the education and well-being of men, women, and children around the world.

J.C. Downing Foundation
http://www.jcdowning.org
This foundation supports education and human development, environmental research and preservation, fine arts, sports and athletics, and technology and communications in any location.

Samuel Rubin Foundation
(1-212)-697-8945 (U.S.A.)
The foundation provides grants for the pursuit of peace and justice; for an equitable reallocation of the world's resources; and to promote social, economic, political, civil, and cultural rights. (HRI)

■ ADDITIONAL RESOURCES

Comprehensive lists of donors and other sources of funding can be found on the following websites:

Database

The Grantseeker online database – **http://www.grantseeker.com**
Open Society – Budapest – **http://www.osi.hu**
Ford Foundation – **http://www.fordfound.org**
National Endowment for Democracy – **http://www.ned.org/resource/funding/fundmain.html**
Fundsnet – **http://www.fundsnetservices.com/internat.htm**
Global Fund for Women – **http://www.globalfundforwomen.org/**

ENDNOTE

1 A portion of the information included here is derived from the Ford Foundation website's grant list at **http://www.fordfound.org** and the Human Rights Internet database of grantors at **http://www.hri.ca**.

EUROPEAN ROMA RIGHTS CENTER

Reports

To receive reports, please specify in writing the report title and number of copies desired. Please write to
ERRC
H-1386
Budapest 62
PO Box 906/93
Hungary
ERRC reports cost 8 US dollars per copy. Bank transfer is preferred as method of payment:

ERRC bank account:
99P00402686
Budapest Bank Rt.
1054 Budapest
Báthory utca 1
Hungary

A Special Remedy
ROMA AND SCHOOLS FOR THE MENTALLY HANDICAPPED IN THE CZECH REPUBLIC (JUNE 1999)

A Pleasant Fiction
THE HUMAN RIGHTS SITUATION OF ROMA IN MACEDONIA (JULY 1998)

Profession: Prisoner
ROMA IN DETENTION IN BULGARIA (DECEMBER 1997)

No Record of the Case
ROMA IN ALBANIA (JUNE 1997)

The Misery of Law
THE RIGHTS OF ROMA IN THE TRANSCARPATHIAN REGION OF UKRAINE (APRIL 1997)

Time of the Skinheads
DENIAL AND EXCLUSION OF ROMA IN SLOVAKIA (JANUARY 1997)

Sudden Rage at Dawn
VIOLENCE AGAINST ROMA IN ROMANIA (SEPTEMBER 1996)

Divide and Deport
ROMA AND SINTI IN AUSTRIA (SEPTEMBER 1996)

BEST COPY AVAILABLE

My Central European family

Éva Orsós

FEW people were interested in my family background before I became the head of the Hungarian government's Office for National and Ethnic Minorities in 1995. Then, suddenly, many people began to ask me to speak about the subject. I have few memories of my Central European family. One memory I do have, however, is of my father returning after a visit to his parents. When he came back, he would always bring us presents. For my mother, it would be a wooden spoon; for us children, a hand-sculpted wash-basin. These were things, I learned later, typical of the crafts practiced by Beash Gypsies. My grandfather had made them.

I was born in Budapest. In my family, sometimes I heard my cousins and aunts and uncles speaking Slovak or German; my grandmother on my mother's side of the family was born in the village of Chorvátsky Grob, which is now in Slovakia. It was a Hungarian, Slovak and German town (despite the name, which means "Croatian Grave", I never heard about Croatians there). My grandmother was German. My great-grandfather was German and when his wife died, he remarried a Slovak woman.

On Saturdays, my relatives would come to visit my grandfather, and they would speak about many important issues. First, they would discuss the international scene. Then, national politics. Finally, they would get down to family business. They took important decisions there.

When I was in my early twenties – shortly around the time of my father's death at the age of 43 – I began to think about my family: "who are these people?" I thought. When my father died, his family, who were from southern Hungary and who were very poor, made the more than 200 kilometre journey to the funeral. This impressed me very much. Despite their poverty, they brought food: potatoes, apples, chickens... Although they were poor, it was important to them to bring us gifts and to feed us. My mother, who was a big-city woman, wouldn't pluck chickens; she considered it beneath her station. So my father's family brought plucked chickens.

One night, while I was sitting at home, I switched on the television and a film with a beautiful title came on: "On a Dirt Road, With Wings" *(Földúton Szárnyalva)*. I watched for a few minutes before I realized: the film was about my uncle Jakab Orsós! He is a famous Romani writer in Hungary, and a person of high moral character. The film was about his life. I sat riveted to the screen and watched the whole film. It touched me deeply because I had been too young when my father died to have asked him all of the questions I would have like to have asked him, like what was the meaning of the Saturday discussions, the plucked chicken, the wooden spoon, the other languages...

The film gave me a lot of clear answers. The most important answer was to the question, "Who am I?" The answer the film provided me was the same one Balou gives to Maugli in the Jungle Book: you are charged with achieving more than other people, because you are a person among wolves, and a wolf among people. Through my father, I realised, I had received a special task in life.

Support and understanding was very important in my family; in fact it was the only way! We were part Romani, part Jewish; my grandmother was born in a German family – she was Theresia Roth – and my great-grandfather remarried a Slovak woman. So this was why my cousins spoke German, Hungarian and Slovak.

I can't remember prejudice from my childhood, but I remember poverty: we were poor. There were three children in my family. When I finished secondary school I wanted to be a veterinarian, but at the last moment I changed my mind and decided to study to be a primary school teacher. In the 1970s, the best students didn't go on to be primary school teachers. It wasn't considered a good job. Now I know why I did it: I had read Pierre Bourdieu about the chances of advancement for poor people; for poor people, the first generation always starts at the bottom of the occupational hierarchy.

When I finished teacher-training college, I went on to teach in a primary school for several years, at the Hegedű Street school in Budapest's sixth district. After that I completed a second degree at teacher training college in Russian Language and Literature. Then, I decided to try and get into university. I was 28-years-old at the

Eva Orsos is co-chair of the Board of Directors of the *European Roma Rights Center* and executive director of the *Mediator Foundation*, a Budapest-based organisation facilitating a donor round-table on Romani issues, and working on the placement of Romani students in multi-national companies working in Hungary. She can be contacted on the e-mail: orsoseva@mail.matav.hu.

BEST COPY AVAILABLE

time and had two children already. I was very unsure whether I would manage. But I remembered one English teacher I had had in secondary school, who had told me, "If you have enough strength to continue your studies at university, do that." So I took the exam and did very well!

During the three years I spent working towards my third higher degree, I arrived at two serious decisions that influenced my future life: I joined the Hungarian Workers' Party and the second was to divorce. Both of these decisions emerged from my growing introspection as to who I was and what my values were. When I finally got a university degree, I thought about what Bourdieu says of educational degrees earned by poor people: "This degree has the smell of sweat."

After that, in 1988, I went to work for the Minister of Health and Social Affairs Judit Csehák. She was very sensitive to the needs of poor people. She personally answered many of the letters sent in by poor people. She asked me to work to organise an office to communicate with the many people who addressed concerns to the Ministry. Under our tenure, the name of the office changed from "Complaints Office" to "Information Office". I had detested the old name because it did not take seriously the concerns of the people who wrote to us.

After the change of regime, Judit Csehák became a Member of Parliament and she called me to work for her. I had lost interest in working at the Ministry because the new people looked at us and treated us as enemies. The work atmosphere had become very bad there.

In 1994, the Socialists won the election and formed a coalition government with the Free Democrats. Then in 1995, the head of the government Office for National and Ethnic Minorities left his position. A member of the Free Democrats came to me and said that the open position was supposed to go to a member of the Socialist Party and that they were keen to make sure that it was a member of the Socialists acceptable to them. In the area of minorities, the Free Democrats' priority was Roma, unlike the other parties, which were concerned with minorities in general. For that reason, the Free Democrats wanted me as an "acceptable" Socialist.

I immediately came under pressure from all sides to take the job, although I really was not sure. The event that spurred my acceptance was one that was very painful for me: a very high level official called me to give me some "friendly" advice. I was told by this person that I should refuse the job, because members of the other minorities would never accept a Romani person in the position. I was emotionally devastated by this statement, but when I accepted the job the next day, I did it with a clear head and after careful thought.

The three years during which I was head of the Minorities Office were very difficult. It was tough working with colleagues who were as prejudiced as everyone else in Hungary, people unaware of Roma and the real values of Roma. Nevertheless, I think my tenure was a success. During my time in office, the office became a respected body. Additionally – and I have largely the Hungarian media to thank for this – many Hungarians learned, as a result of our efforts, that Hungary is a multi-ethnic society. I also noted during my tenure the remarkable strengthening of the consciousness of the Hungarian Romani leadership. They realised their responsibility to formulate the needs of the Romani communities. The change of their personality during the period was impressive. Finally, in July 1997, we pressed for and won approval of the Hungarian government's "Medium Term Strategy for Romani Issues". Hungary is now one of only a handful of countries in Europe to have a serious policy programme addressing Romani issues. This was a great victory.

If I had to assess the period during which I was head of the Minorities Office critically, I would make the following observation. I think that three things are necessary to address the perilous situation of Roma in Hungary – as in all countries – today: political will, a good programme, and implementation. The guiding assumption of my work was that even if the political will was missing, a good programme was worthwhile and valuable. I am not so sure of that anymore: the current Hungarian government entirely lacks the political will seriously to address the problems of Roma, but is drawing up a new programme. Without the political will to try to find real, workable solutions to the problems plaguing Roma, the best programmes will remain on paper.

Today I am remarried to a Jewish man named Gábor Hegyesi. And my daughter Ágnes – by my first marriage – carries on our family's Central European tradition: she sings in a band that plays Romani, Balkan and Jewish folk music!

Konvencija pala e čhavrikane čačipena*

Akceptuime katar o generalno kongreso vaš e Jekhethaneske nacije an 20-to novembri 1989. berš
Oficielno tradini avri an 2-to septembri 1990. berš an relacija pala o kotor 49(1)

An relacija pala e principura save si phendine an konvencija vaš e Jekhethanske nacije kaj si manušesko digniteto thaj e egalne čačipena savore manušengo baza pala e sloboda, čačipen thaj šukar trajo an sasti luma,

Sar e thema andar e Jekhethaneski unija vadži/inke jekhvar phende kaj si len patjiv an manušenge čačipena thaj digniteto, an manušesko personaliteto thaj sar phande vorba/lafi te ažutinen thaj te vazden opre socijalno angjunipe thaj o bararipe pala o trajosko standardo an majbari sloboda,

Džangipasa kaj e Jekhethaneske nacije an generalno deklaracija pala e manušenge čačipena thaj e maškarthemutne pakturenca pala e manušenge čačipena phende kaj svakones manušes si egalne čačipena thaj slobode save vi si ramosarde an kadale konvencie bidiferencijako pe rasa, kolori, dal si o manuš murš vol džuvlji, čhib, patjiv, politikako vol aver gindipe, nacia vol socialno statuso, bidiferencijako kaj si o manuš bijandino vol bidiferencijako pala aver statuso,

Gindosa kaj e Jekhethaneske nacije ande piri generalno deklaracija vaš e manušenge čačipena phende kaj e čhavrenge trubul specialno griža thaj ažutipen,

Gindosa kaj e familijake, savi si baza pala o amalipen, thaj specialno e čhavrenge trubul protekcija thaj ažutipen te šaj bararel thaj šukar kerel piri rola ando amalipen,

Gindosa kaj o čhavro, an direkcija pala lesko šukar barjaripe trubul te barol maškar piri familija, baxtasa, kamipasa thaj hatjarimasa,

Gindosa kaj o čhavro trubul te sikavelpe te korkore trajil ando amalipen thaj kaj trubul te avel sikado te hatjarel so si phendino ande konvencija vaš e Jekhethaneske nacije specialno te respektuil tolerancija, sloboda, egalteto maškar e manuša,

Gindosa kaj pala e čhavre trubul specialno griža so si vi ramosardino an Ženevsko konvencija pala e čhavrikane čačipena savi si kerdini an 1924. berš, thaj vi an deklaracija pala e čhavrikane čačipena katar e Jekhethaneske nacije savi si kerdini an 1959. berš savi si vi akceptuime katar e Generalno deklaracija vaš e manušenge čačipena, an maškarthemutno pakto vaš e civilne thaj e politikake čačipena (specialno Kotor 23 thaj 24), an maškarthemutno pakto katar e ekonomikake, socialne thaj kulturake čačipena (specialno an Kotor 10) thaj vi an varesave statutura, special agencije thaj maškarthemutne organizacije savengi butji si te len sama pe čhavrenge čačipena,

An relacija pala godo so si ramosardo an deklaracija pala e čhavrenge čačipena so vi akceptuisarda/ lija Generalno kongreso an 20. Novembri 1959. Berš, kaj e "čhavrese godolese kaj mentalno thaj fizički naj zuralo", trubul specialno arakhipe/protekcija thaj griža vi jurisdikani protekcija sar majangial kade vi palal o bijanipe,

An relacija pala e kotora an deklaracija save vakaren katar social thaj jurisdikane principura vaš e protekcija thaj šukar trajo e čhavrengo specialno an situacija kana e manuša andar aver them kamen oficijelno te losaren pe čhavre save či train an godo them, e zakonurenca katar e Jekhethaneske nacije save vakaren pala e minimum berša e manušenge savenge krisiipe (Peking čačipena) thaj an relacija pala e deklaracija vaš e džuvljangi thaj čhavrengi protekcija kana si varesave special situacije ande phuv vol kana si varesavo maripen,

Gindosa kaj an sa thema an sasti luma si čhavre save train but bilačhe thaj kaj kadale čhavrenge trubul specialno losaripe,

---

* *Translated from English by Dragan Ristić for the* European Roma Rights Center (ERRC). *The* ERRC *is grateful to Professor Mozes Heinschink and Mr Jud Nirenberg for their comments and input.*

Džanglipasa sode si importantno e tradicija thaj e kultura svakone themesi pala o normalno bararipe e čhavresko,

Gindosa sode si importantno e maškarthemutni ko-operacija maškar e phuvja te šukareipe thaj barvareipe čhavorengo trajo specialno an phuvja save naj barvale,

E phuvja save ramosarde kadi konvencija jekhegjasosa dije avri:

JEKHTO ŠERUTNO KOTOR

Kotor 1

Te majlače hatjareipe kadi konvencija, čhavro si svako manuš saves naj deš-ohto berš te o čačipen/zakono či parudoipe.

Kotor 2

1. E thema save dije piri signatura/somnatura telal kadi konvencija respektuin thaj protektuin e čačipena svakone čhavreske thaj kate naj diskriminacija savi si an relacija pala e rasa, kolori/farba, dal si o manuš murš vol džuvlji, čhib, religija, politikako gindipe.
2. E thema save dije piri signatura/somnatura telal telal kadi konvencija lije pe peste sama/obligacija te keren sa so šaj an relacija pala e čhavrengi protekcija katar svako diskriminacija.

Kotor 3

1. E thema save dije piri signatura/somnatura telal kadi konvencija ka len than an sa e aktivitetura save si an relacija pala e čhavre so vi si majbaro prioriteto. Godoiese naj importantno/ važno ko kerel e aktivitetura: oficijelno vol privatno institucija vaš e socijalno protekcija, krisura, administrativno institucija vol čačipaski institucija.
2. E thema save dije piri signatur/somnatura telal kadi konvencija lije pe peste obligacija te keren protekcija e čhavrengi savi si importantno pala lengo barvalo bararipe thaj savi si vi an relacija pala e dadengi thaj e dejangi obligacija vol e manušengi save len sama pe čhavre, saven si jurisdikano responsabiliteto.
3. E thema save dije piri signatura/somnatura telal kadi konvencija ka len sama te sa e institucije, ofisura save butjaren e čhavrenca save keren lengi protekcija keren godo an relacija pala o standardo savo vazden opre e šerutne phuvjake institucije. 'Kava si specijalno importantno pala e institucije save len sama pala e čhavrengo sastipen thaj pala e manuša save keren butji e čhavrenca.

Kotor 4

E thema save dije piri signatura/somnatura telal kadi konvencija len pe peste o responsabiliteto te realizuin sa legalne thaj administrativne aktivitetura save si ramosardine an kadi konvencija. An relacija pala e ekonomikake, sociologikane thaj kulturake čačipena e thema save dije piri signatura/somnatura telal kadi konvencija ka den sa pestar te realizuin kadala čačipena thaj kana godo trubul ka keren vi maškarthemutni ko-operacija.

Kotor 5

E thema save dije piri signatura/somnatura telal kadi konvencija ka respektuin e dadenge thaj e dajange čačipena vol te e čhavren naj dad thaj dej aver manušenge čačipena save len sama pe lende, te bararen len an direkcija te šaj realizuin pire čhavrikane čačipena.

Kotor 6

1. Čačipen te trail si svakone čhavre.
2. E thema save dije piri signatura/somnatura telal kadi konvencija ka len sama te den šaipen svakone čhavre te normalno barol thaj trail.

Kotor 7

1. Kana bijandoipe e čhavreske informacije denpe an oficijelne institucije thaj svakone čhavre si čačipen po anav, si les čahcipen te vareko arakhel les, te si les phuv, te džanel (te si pala godo šaipen) ko si lesko dad thaj dej thaj si les čačipen te von arakhen les.
2. E thema save dije piri signatura/somnatura telal kadi konvencija realizuin kadala čačipena an relacija pala o nacionalno zakono thaj an relacija pala e maškarthemutne instrumentura specialno kana si o čhavro bi phuvjako.

Kotor 8

1. E thema save dije piri signatura/somnatura telal kadi konvencija ka len sama te majbut respektuin čhavorenge čačipena te e čhavrenge protektuin/arakhen lengo identiteto, lengo nacionalno identiteto, anav thaj e familija sar si godo skrinisardo ando čačipen.
2. Kana kerelpe varesavo nelegalno dukhavipe pala e čhavresko identiteto, e thema save dije piri signatura/somnatura telal kadi konvencija den dukhade čhavrese žutipen.

Kotor 9

1. E thema save dije piri signatura/somnatura telal kadi konvencija trubun te keren čhavrengi protekcija kade te ni jekh čhavro na ačhel bi dajako thaj dadesko kontra e čhavreski voja. O čhavro šaj ačhel bi dajako thaj dadeasko numaj kana e čačipaske institucije godo oficijalno phenen te protektuin čhavresko intereso. O decizji te o čhavro ačhel bi dajako thaj dadesko šaj anelpe kana o dad thaj e dej maren e čhavre, kana či len sama pe leste vol kana o dad thaj e dej či train khetane thaj trubul te dikhelpe kaj ka trail o čhavro.
2. An svako krisipe an relacija pala o paragrafo jekh sa o riga saven si intereso šaj len than thaj šaj phenen piro gindipe.
3. E thema save dije piri signatura/somnatura telal kadi konvencija ka respektuin e čhavresko čačipen savo či trail pire dadesa, dejasa vol liduj dženenca te kerel kontakto lenca te godo naj kontra e čhavreske interesura.
4. Kana si o parudipe/uladipe (maškar o dad, dej, čhavro) themesko decizji/voja (phanglipe, tradipe, deportacija, vol meripe dadesko, dajako vol čhavresko te sas an momento kana e phuv lija sama pe lende) e thema save dije signatura/somnatura telal kadi konvencija ka den informacije dadeske, dajake, čhavrese vol avere njamoske andar e familija kaj si o hasardo njamo te godo naj kontra e čhavreske interesura. E thema save dije piri signatura/somnatura telal kadi konvencija majdur ka len griža te kadala mangipa na aven kontra e interesura manušenge save kamen kadale informacije.

Kotor 10

1. E thema save dije piri signatura/somnatura telal kadi konvencija an relacija pala o kotor 9/1 savo vakarel/vorbil pala e čhavresko lese dejasko vol dadesko mangipe te trail an varesavo them vol te džal andar jekh an aver them thaj te train khetane gothe, trubun te dikhen pozitivno. E thema save dije piri signatura/somnatura telal kadi konvencija lije pe peste obligacija te e manušen save skrinisarde kava mangipasko lil či avel problemura ando avutnipe.
2. Te o dad trail an jekh them pal e dej an aver lengo čhavro šaj kerel kontakto lenca, numaj kana si varesave specijalne kondicije či ka avel šaipen pala kava. An relacija pala kava so phendam thaj an relacija pala o kotor 9/2 e thema save dije piri signatura/somnatura telal kadi konvencija ka respektuin čhavorenge čačipena, čačipena pala lengo dad thaj dej te džan andar jekh ando aver them, te džan vi andar piro them thaj vi te irinpe palpale an piro them. Pala kava so phendam šaj kerelpe prohibicija savi si ando fremo pala o nacionalno čačipen te kerelpe protekcija pala o morali, sastipen, protekcija pala e nacija.

Kotor 11

1. E thema save dije piri signatura/somnatura telal kadi konvencija lije pe peste obligacija te marenpe kontra o ilegal-transporto e čhavrengo thaj lengo ne-irisaripe ande lengo them.
2. An relacija pala o kotor 11/1 e thema maškar peste ka keren maškarbutthemutne thaj maškardujthemutne kontraktura vol ka len than an varesave kontraktura save si kerdine.

Kotor 12

1. E thema save dije piri signatura/somnatura telal kadi konvencija ka den šaipen svakone čhavrese saves si lesko slobodno gindipe thaj savo kamel te phenel sa so gindil pala e čhavrikane čačipena.
2. An relacija pala kava so phendam an kotor 12/1 e čhavrengo gindipe trubul specijalno te ašunelpe kana si varesavo krisipe vol administrativo proceso savo si an relacija pala lende.

Kotor 13

1. E čhavre si čačipen te phenel so gindil te slobodno lel, rodel vi del varesave informacije vi ideje, kava šaj te vakarel/phenel, šaj te skrinil/ramol, bičhavel perdal e žurnala/štampa, perdal o artistipen vol varesavo aver mediji savo o čhavro kamel.

2. Si vi prohibicije pala e realizacija kadalenge čačipena save si ramosarde an zakono thaj save si importantne/važne godolese kaj:
   a) trubun te respektuinpe vi averenge čačipena.
   b) trubul te kerelpe protekcija pala e nacija, pala e manušengo sastipen, morali.

Kotor 14

1. E thema save dije piri signatura/somnatura telal kadi konvencija ka respektuin čhavrengo čačipen te slobodno gindin, te si len sloboda pe moralne slosaripe thaj pe religija.
2. E thema save dije piri signatura/somnatura telal kadi konvencija ka respektuin e dadenge thaj e dajange čačipena vol manušenge čačipena save ka len sama pe čhavre te žutinen e čhavrenge te realizuin pire čačipena save si an relacija pala e čhavrengo šaipen.
3. E prohibicija pala e religija šaj kerel e phuv te kade šaj protektuil nacionalno intereso, morali, manušengo sastipen.

Kotor 15

E thema save dije piri signatura/somnatura telal kadi konvencija ka respektuin e čhavrenge čačipena te slobodno keren amalipa thaj te aven khetane.

Kotor 16

1. Khonik e čhavrenge či tromal te del an lengo privatno trajo, an lengo familijako trajo, khonik či tromal te ginavel lenge lila, khanikas naj čačipe te kerel vareso kontra e čhavresko personaliteto.
2. Svakone čhavre si čačipen te avel protektuime katar e bilačhipena save si ramosardine an kotor 16/1.

Kotor 17

E thema save dije piri signatura/somnatura telal kadi konvencija khetane vazde avri kaj si importantne e medija thaj kaj ka den šaipen e čhavrenge te len informacije vi maškarthemutne vi e kherutne, specialno e informacije save si an relacija pala e čhavrengo socialno statuso, pala lengo morali , pala lengo fizičko thaj mentalno sastipen.

a) E thema save dije piri signatura/somnatura telal kadi konvencija phande e vorba/lafi kaj ka ispiden e medija te traden avri e informacije thaj e materijalura save si socialno thaj kulturno intereso vaš e čhavrenge an relacija pala o kotor 29.
b) E thema save dije piri signatura/somnatura telal kadi konvencija ka ispiden/vazden opre e maškarthemutni ko-operacija savi ka pharuvel e informacije thaj e materijalura.
c) E thema save dije piri signatura/somnatura telal kadi konvencija ka keren stimulacija te denpe avri e čhavrikane pustika/lila.
d) E thema save dije piri signatura/somnatura telal kadi konvencija phande e vorba/lafi kaj ka traden/ispiden e medija te len sama thaj te vorbin pala e čhibake problemura saven si e čhavren save si nacionalno minoriteto an jekh them.
e) E thema save dije piri signatura/somnatura telal kadi konvencija phande e vorba/lafi kaj ka den stimulacija te arakhelpe varesavo fremo sar te protektuinpe e čhavre katar e bilačhe informacije an relacija pala o kotor 13 thaj 18.

Kotor 18

1. E thema save dije piri signatura/somnatura telal kadi konvencija ka den sa pestar te respektuinpe čačipen kaj vi o dad vi e dej khetane len sama thaj len responsabiliteto pala o čhavro pala lesko bararipe.
2. An relacija te vazdenpe opre e čačipena save si ramome an kadi konvencija e thema save dije piri signatura/somnatura telal kadi konvencija ka ažutinen e dadenge, dajange vol e manušenge save oficijelno losaren pe čhavre te so majšukar barareh e čhavren thaj pe aver rig kadala thema save dije piri signatura/somnatura telal kadi konvencija ka ažutinen te kerenpe e institucije save oficijelno losaren pe čhavre.
3. E thema save dije piri signatura/somnatura telal kadi konvencija ka keren sa e aktivitetura te protektuin e čhavrenge savenge dada thaj deja butjaren te an vrama džikaj von butjaren šaj džan an institucije save šaj losaren pe lende.

Kotor 19

1. E thema save dije piri signatura/somnatura telal kadi konvencija ka len pe peste sa čačipaske, socialne, edukativne aktivitetura te protektuin e čhavren katar fizičko thaj mentalno tortura, te vareko na dukhavel len, te vareko na kerel lengi eksploatacija vi seksualno eksploatacija, vol te vareko či lel lačhe sama pe lende dži kaj si cikne, sar o dad, dej vol vareko aver.

2. Kava so si phendino an kotor 19/1 trubul te del šaipen te kerenpe lačhe socialne programura pala e čhavrengi protekcija vol protekcija pala e manuša save ka len sama pe čhavre thaj vi te majlačhe kerelpe prohibicija, tradipe po krisi, krisipe, policiake rodipa kontra e manuša save dukhade e čhavren.

Kotor 20

1. O čhavro savo majbut či trail pire familijasa vol saveske an lesko intereso e oficijelne institucije ande decizja kaj či trubul te ačhel pire familijasa ka lel specialno ažutipen katar o them kaj trail.
2. E thema save dije piri signatura/somnatura telal kadi konvencija an relacija pala pire nacionalne čačipena thaj an relacija pala o kotor 20/1 ka den šaipen e čhavrenge te vareko lel sama pe lende.
3. An relacija pala o kotor 20/2 o them ka arakhel e čhavrenge aver familija savi kamel te bararel len, godo akharelpe kafaiah an islamsko/horahano čačipen, vol varesavi familija šaj oficijelno te lel kadale čhavren, vol maj palal kadala čhavre šaj dzan vi an specialne themeske institucije save len sama pe čhavre. Džikaj rodelpe majlačho šaipen pala e čhavresko bararipe trubul te lelpe sama katar si o čhavro savi si leski religija, savi čhib vakarel savo si lesko kulturako identiteto.

Kotor 21

E thema save dije piri signatura/somnatura telal kadi konvencija thaj save an piro čačipen den šaipen te vareko aver (te godo či kamen o dad thaj e dej) lel vi oficijelno sama po čhavro majanglal ka protektuin/arakhen e čhavrenge interesura:

a) Numaj e themeske institucije šaj oficijelno den šaipen te vareko aver (te godo či kamen o dad thaj e dej) lel sama pe čhavre an relacija pala o čačipen thaj an relacije pala e informacije save si len. Kana o dad thaj e dej, varesavo njamo, vol ko lel sama pe čhavre či kamel vol našti lel sama pe lende vareko aver šaj lel sama pe lende. E manuša saven si intereso te len sama pe čhavre trubun te anen dicizji pire gindosa.
b) Te khonik an jekh them našti lel sama po čhavro, te vov našti džal an aver familija, varesavo manuš andar aver them šaj an avutnipe lel sama pe leste.
c) An relacija pala o kotor 21/b e čhavrese savo djelo andar jekh an aver them te vareko lel sama pe leste ka avel sa e čačipena save e theme kaj ka trail si thaj save si an relacija pala kadi tema.
d) Te vareko andar jekh them anel decizji te lel sama pe varesavo čhavro andar aver them ka kerelpe sa te varesavo trito manuš či kerel varesavo finansijako bilačhipe.
e) E thema save dije piri signatura/somnatura telal kadi konvencija ka keren bilateralno thaj multilateralno kontraktura te kadi tema (te vareko andar jekh them lel sama/lel griža pala varekaste andar aver them) bararen thaj šukaren.

Kotor 22

1. E thema save dije piri/signatura somnatura telal kadi konvencija ka keren sa te e čhavrenge save si tradine andar piro them, saven si statuso sar tradine manuša, den protekcija thaj humanitarno ažutipen vi te si pire familijasa vi te naj an relacija pala o maškarthemutno čačipen.
2. An relacija pala o kotor 22/1 e thema save dije piri signatura/somnatura telal kadi konvencija ka len than an sa e akcie save ka keren e jekhethaneske nacije thaj e NGO organizacije te protektuinpe kadale čhavrenge čačipena te žutilpe lenge te arakhen pire familija thaj te del len informacija pala lende. Te e čhavrese našti arakhenpe o dad, dej, familija leske delpe protekcija sar vi averen čhavren saven naj dad, dej vol familija.

Kotor 23

1. E thema save dije piri signatura/somnatura telal kadi konvencija ande decizji kaj e čhavren saven si mentalne problemura vol si invalidura trubun te train jekh lačhe trajosa thaj te avel len lengo digniteto.
2. E thema save dije piri signatura/somnatura telal kadi konvencija ka respektuin e čhavrengo čačipen save si invalidura te vareko aver specialno lel sama pe lende/ lesko sastipen, te si les čačipen po žutipen. Te vareko pala kadale čhavre kerel e aplikacija/mangipasko lil pala o žutipo o them ka žutil so thaj gadici šaj.
3. An relacija pala o kotor 23/2 o ažutipen e čhavrenge save si invalidura delpe kana šaj bi lovengo, (kate specialno lelpe sama pala e čhavrengo dad,dej vol familija sode love si len). O ažutipen si kade kerdino te e čhavre si efektivno edukacija, sastipeski

protekcija thaj rehabilitacija, preparacija pala o butjako than, šaipen pe rekreacija an relacija te kerelpe so majbari čhavreski integracija te hatjarelpe sar aver manuša te bararel piro kulturako identiteto thaj piro gindipe.

4. E thema save dije piri signatura/somnatura telal kadi konvencija ka pharuven e informacije save si an relacija pala o sastipen, medicina, psihologija so šaj te ažutil e čhavrese savo si invalido, e thema ka pharuven vi e informacije save vakaren vi pala e rehabilitacije thaj e metode sar godo kerelpe te savoren vazden opre/bararen o šaipen te žutin e čhavrenge. An relacija pala kava specialno ka lelpe sama pala e thema save naj barvale thaj save si an proceso te vazdenpe opre.

Kotor 24

1. E thema save dije piri signatura/somnatura telal kadi konvencija ka respektuin čhavorengo čačipen pe sastipaski thaj medicinaki protekcija thaj čačipen pe rehabilitacija. E thema save skrinisarde/ ramosarde telal kadi konvencija phande vorba/lafi kaj sa e čhavren save si invalidura ka avel šaipen pe čačipaski protekcija.
2. E thema save dije piri signatura/somnatura telal kadi konvencija ka den sa pestar te:
   a) ciknjaren procento e čhavrengo meripasko.
   b) den sastipasko thaj medicinsko ažutipen sa e čhavrenge, specialno trubul te žutilpe pala e primarno sastipaski protekcija.
   c) kerelpe protekcija vaš e čhavrenge katar o nasvalipe, an relacija pala e primarno sastipaski protekcija ka butjarelpe tehnologijasa savi si lokhi, te arakhelpe o habe, užo pani savo šaj pijelpe.
   d) kerelpe e protekcija pala e dej majangial kana bijanel thaj pala o bijanipe.
   e) delpe savorenge šaipen (specialno dadenge, dajange thaj lenge čhavrenge) te si len informacije thaj ažutipen te džanen so si godo sastipen, sar prajerenpe e čhavre, sostar si importantno te e dej del čući pire čhavrese, sostar si impotantno e higijena (užipe) sostar si importantno sarsave kondicije si po than kaj trailpe.
   f) barjaripe pala e preventivno sastipaski protekcija, sikavipe vaš e dadenge thaj e dajange, edukacija thaj ažutipen e manušenge save planirin familija.
3. E thema save dije piri signatura/somnatura telal kadi konvencija ka mudaren svako tradicionalno drabarni praksa savi anel bilačhipe e čhavrenge.
4. E thema save dije piri signatura/somnatura telal kadi konvencija lije pe peste obligacija te vazden opre maškarthemutni ko-operacija an relacije te realizuinpe e čačipena andar kava kotor. Specialno ka lelpe sama pe thema save si an proceso te vazdenpe opre.

Kotor 25

E thema save dije piri signatura/somnatura telal kadi konvencija ka respektuin e čhavrengo čačipen, saven e themeske institucije oficijalno dije te vareko aver lel sama pe lende (na o dad thaj e dej), te lel sama pe lengo fizicko vol mentalno sastipen, te avel len katar e vrama pe vrama testo sar dzal lengo sastaripe, thaj te keren rodipe pala sa e elementura save si an relacija pala lengo sastaripe.

Kotor 26

1. E thema save dije piri signatura/somnatura telal kadi konvencija ka respektuin e čhavrengo čačipen pe socijalno protekcija, socijalno ažutipen, thaj ka den sa pestar te realizuin kadala čačipena an relacija pala e nacionalne čačipena.
2. Kadala čačipena trubun te realizuinpe te e čhavre thaj varekas kon lel sama pe lende naj aver finansije thaj šaipena.

Kotor 27

1. E thema save dije piri signatura/somnatura telal kadi konvencija ka respektuin e čhavrengo čačipen po trajosko standardo savo si an relacija pala lesko mentalno, moralno, fizičko thaj socialno statuso.
2. E dade, deja vol varekas avere ko lel sama pe čhavre si majangiune šaipen te arakhen drom sar te vazden pire čhavren an relacija pala lengo finansijsko statuso thaj pala lenge šaipena.
3. E thema save dije piri signatura/somnatura telal kadi konvencija an relacija pala pire šaipena ka ažutinen e čhavreske familijake vol vrekeske savo lel sama/bararel pe čhavre, te godo trubul o them ka del vi finansijsko ažutipen thaj specialno ka dikhelpe sama pala e čhavresko habe, leske gada thaj than kaj trail.
4. E thema save dije piri signatura/somnatura telal kadi konvencija ka den sa pestar te o manuš saves si responsabiliteto pala o čhavro (dad, dej, familija vol vareko aver) den e čhavre finansijsko ažutipen. Te o manuš saves si responsabiliteto pala o čhavro či trail an them kaj trail vi o čhavro e thema ka keren maškarthemutne kontraktura te realizuin e čhavreske čačipena.

Kotor 28

1. E thema save dije piri signatura/somnatura telal kadi konvencija phande e vorba/lafi kaj sa e čhavren si čačipen pe edukacija thaj savoren si jekh egaliteto te sitjuven.
   a) Elementarno edukacija si obligacija sa e čhavrenge thaj kava či pokinelpe.
   b) E thema save dije piri signatura/somnatura telal kadi konvencija ka traden opre te šukarelpe e maškarni edukacija.
   c) Savorenge ka delpe šaipen te avel len bari edukacija.
   d) Sa e čhavrenge ka delpe šaipen te len e informacije save si an relacija pala e edukacija vol savi si e čhavresi profesionalno orijentacija.
   e) E thema save dije piri signatura/somnatura telal kadi konvencija ka keren presija/traden sa e čhavre te sajekh/permanentno dzan ande škola.
2. E thema save dije piri signatura/somnatura telal kadi konvencija phande e vorba/lafi kaj e manuša save keren e edukacija čhavrenge trubun te roden e disciplina e čhavrendar numaj te respektuilpe e čhavrengo digniteto.
3. E thema save dije piri signatura/somnatura telal kadi konvencija ka bararen thaj vazden opre e maškarthemutni ko-operacija pala e pučipa save si importantne vaš e edukacijake majbut godolese/vašodi kaj kamen te ciknjaren o numbri pala e manuša saven naj edukacija, palagodo te den len tehnikako džanglipe, thaj te majlačhe hatjaren e adivesutne metode pala e edukacija.

Kotor 29

1. E thema save dije piri signatura/somnatura telal kadi konvencija phande e vorba/lafi kaj e čhavrengi edukacija trubul te avel an direkcija:
   a) te bararel lengo personaliteto, te bararel lenge talentura thaj te bararel lenge mentalne thaj fizičke šaipena so maj but.
   b) te respektuinpe e manušenge čačipena thaj bazične slobode, thaj vi e principura save si ramosarde an Jekhethaneske nacijengi konvencija.
   c) te majbut respektuinpe e čhavrenge dada thaj e deja, te respektuilpe e čhavrengo kulturako identiteto, dajaki čhib, nacionalne barvalipena thaj baripena e themeske kaj o čhavro trail thaj katar o čhavro avel, thaj te respektuinpe e civilizacije save naj sar leske.
   d) te e čhavre sikavenpe pala jekh responsabilno trajo an normalno amalipen, te hatjaren jekh avere, te na keren maripe, te sikaven kaj si egalne e murša thaj e džuvlja, te hatjaren so si kamipe maškar e manuša an sasti luma.
   e) te džanen te respektuin e natura.
2. Ni jekh paragrafo an kava kotor thaj vi an kotor 28. či trubul te hatjarelpe sar kana kerelpe prohibicija pala varesavi manušeski sloboda te kerel vol te kordiniril an varesavi edukacijaki institucija. Pe aver rig trubul te respektuilpe godo so si ramosardino an kotor 1. an kadi konvencija te e edukacija ande kadale institucije si an relacija pala o standardo ande godo them.

Kotor 30

An thema kaj si etnikane, religijake vol čhibake minoritetura vol e manuša save majangjune avile an varesavo them (indigenous) kadale čhavrenge khonik či tromal te lel lenge čačipena, thaj pe aver rig kadale čhavren si čačipen pe piri religija, pe piri kultura thaj pe piri čhib.

Kotor 31

1. E thema save dije piri signatura/somnatura telal kadi konvencija respektuin čhavorengo čačipen pe slobodne djesa thaj slobodno vrama, po khelipe, pe rekreacija thaj po šaipen te len slobodno than an varesave kulturake aktivitetura thaj ando artistipen.
2. E thema save dije piri signatura/somnatura telal kadi konvencija ka respektuin thaj ka bararen čhavorengo čačipen te len than an kulturake thaj artistikane aktivitetura thaj ka den e čhavorenge egalno (jekh sar vi avere) šaipen pala kulturake, artistikane, rekreativne thaj slobodne aktivitetura.

Kotor 32

1. E thema save dije piri signatura/somnatura telal kadi konvencija respektuin e čhavrengo čačipen pe protekcija te na kerel vareko lengi ekonomsko eksploatacija, te na keren e butji savi naj vaš lenge vol savi šaj kerel lenge problemura te na džan ande škola, savi šaj kerel problemura pala lengo sastipen thaj savi naj lačhi pala lengo mentalno, moralno thaj socialno bararipe.
2. E thema save dije piri signatura/somnatura telal kadi konvencija ka keren čačipaske, administrativne, socialne thaj edukativne aktivitetura te realizuin kava kotor. An

relacija pala kava thaj pala aver maškarthemutne instrumentura e thema save dije piri signatura telal kadi konvencija specialno:

a) ka phenen sode minimum/majcerra berša trubul te avel varesave manuše te butjarel.
b) ka kerel regulacija pala butjaki vrama thaj pala e butjake kondicije.
c) ka del sankcije vol došalipa varekase ko či respektuil paragrafura an kava kotor.

Kotor 33

E thema save dije piri signatura/somnatura telal kadi konvencija ka keren čačipaske, administrativne, socialne thaj edukativne aktivitetura te protektuin/ arakhen e čhavren katar e droga, sar si vi ramosardino/ skrinisardo an maškarthemutne kontraktura thaj ka keren protekcija pala e čhavre te vareko či tradel len te keren, kinen thaj bikinen e droga.

Kotor 34

E thema save dije piri signatura/somnatura telal kadi konvencija lije pe peste obligacija kaj ka protektuin e čhavren katar e seksualno eksploatacija. An relacija pala kava e thema save dije piri signatura/somnatura telal kadi konvencija ka realizuin sa e nacionalne, maškardujthemutne thaj maškarbutthemutne aktivitetura te protektuin:

a) tradipe e čhavrengo te len than an kontra-čačipaske seksualne aktivitetura.
b) te khonik na kerel čhavrengi eksploatacija vaš e prostitucija vol aver kontra-čačipaske aktivitetura.
c) te khonik na kerel čhavrengi eksploatacija vaš e pornografikane performansura vol lila.

Kotor 35

E thema save dije piri signatura/somnatura telal kadi konvencija ka keren sa nacionalne, maškardujthemutne thaj maškarbutthemutne aktivitetura te kerelpe protekcija pala e čhavrengo kinipe thaj bikinipe.

Kotor 36

E thema save dije piri signatura/somnatura telal kadi konvencija ka protektuin e čhavren katar svako eksploatacija thaj katar sa so šaj kerel bilačhipe e čhavrenge pala lengo šukar/lačho trajo.

Kotor 37

E thema save dije piri signatura/somnatura telal kadi konvencija ka keren protekcija:

a) te ni jekh čhavro na avel dukhado vol te kerelpe kontra leste varesavi tortura. E manušen saven naj deš-ohto berš khonik našti krisarel po meripe vol pe satrajosko phanglipe.
b) ni jekh čhavro našti avel tradino an phanglipe kontra o čačipen vol varekaske korkore-vojako.
c) e čhavrenca save si an phanglipe trubul te voblipe/vakarelpe kade te respektuilpe lengo digniteto, thaj vi te respektuinpe lenge trubulipa. Svako čhavro savo si an phanglipe trubul te ulavelpe katăr e manuša saven si majpurane deš-ohto beršendar kava ulavipe či kerelpe numaj te si godo an čhavresko intereso. E čhavres savo si an phanglipe si čačipen te kontaktirli pire familijasa vol lilenca vol te e familija avel leste. Kava čačipen našti kerelpe numaj an varesave specijalne situacije.
d) svakone čhavres savo naj slobodno(savo si tradino an phanglipe) si čačipen po jurisdikano vol aver ažutipen savo vov trubul, si les čačipen te anglal o krisi vol varesavi aver themeski institucija pučel sostar si phanglino (sostar naj slobodo) thaj si les čačipen te rodel katar o krisi so maj sigo decizji pala leste.

Kotor 38

1. E thema save dije piri signatura/somnatura telal kadi konvencija lije pe peste obligacija te respektuin maškarthemutno humanitarno čačipen kana si varesavo maripen thaj kana si godola humanitarna- čačipena an relacija pala e čhavre.
2. E thema save dije piri signatura/somnatura telal kadi konvencija ka keren sa aktivitetura te e manuša saven naj dešupandž berš na džan/len than an maripen.
3. E thema save dije piri signatura/somnatura telal kadi konvencija či ka akharen an armija e manušen saven naj dešupandž berš.
4. Sar e thema save dije piri signatura/somnatura telal kadi konvencija phende kaj ka respektuin o maškarthemutno humanitarno čačipen te protektuin e manušen save si civilura kana si varesavo maripen, ka kerenpe sa e aktivitetura te an kadale situacije protektuinpe e čhavre.

Kotor 39

E thema save dije piri signatura/somnatura telal kadi konvencija ka keren e aktivitetura vaš e čhavrengo fizičko thaj psihologikano sastaripe thaj socialno reintegracia čhavrenge pe save si kerdini varesavi tortura, dukhavipe vai varesavo aver bilačipe. E čhavrengo sastaripe thaj reintegracija ka kerelpe pe thana save si lačhe vaš e čhavrenge.

Kotor 40

1. Te oficijelno gindilpe kaj si bango vai te truhul te kerelpe kontra leste krisipe, e thema save dije piri signatura/somnatura telal kadi konvencija ka respektuin svakone čhavrese čačipen te e manuša save keren butji an oficijelne institucije (policia, krisi) respektuin les sar manuše so an čhavro zurarel pe vavipe an manušeske čačipena, an bazične slobode.
2. Ande relacija pala kava so si phendino an kotor 40/ 1 vi an relacija pala e maškarthemutne instrumentura e thema save dije piri signatura/somnatura telal kadi konvencija ka protektuin:
   a) te ni jekh čhavro či avel tradino po krisi te či arakhelpe lesko bangipe, te na avel tradino an phanglipe te či kerda oficijelno bangipe vai te godo so kerdas naj sas ramosardino an themeske vai maškar-themutne čačipena.
   b) te svakone čhavrese savo si tradino po krisi denpe e garancije:
      i) kaj či phenelpe kaj si bango džikaj či arakhelpe lesko bangipe
      ii) te avel lese (e čhavrese), leske familijake, vai varekaske ko iel sama po čhavro, phendino (so maj sigo) so si lesko bangipe thaj te e čhavre savo si tradino po krisi si advokato/fiškari.
      iii) te o krisipe avel pe vrama, te o krisipe kerelpe sar phenel o čačipen, te e čhavre si čačipesko ažutipen te si godo an čhavresko intereso specialno pala godo sode beršengo si, sarsavo statuso si leske dade, deja thaj familija.
      iv) te o čhavro na avel tradino te phenel kaj si bango vai kaj si došalo, te pučenpe angiai o krisi e manuša save dikhle o bangipe vi katar e čhavreski rig.
      v) ote šaj o decizji kaj si o čhavro bango thaj svako aktiviteto an relacija vaš e čhavresko, savo andas o krisi inke jekhvar/vadži jekhdrom vazdelpe opre thaj delpe po majbaro krisi an relacija pala o čačipen.
      vi) te e čhavrese arakhelpe bilovengo ažutipen pala e translacija te či hatjarel e čhib.
      vii)te respektuilpe lesko privatno trajo kana kerelpe krisipe kontra leste.
3. E thema save dije piri signatura/somnatura telal kadi konvencija ka vazden opre/ ispiden šaipen pala e čačipena, aktivitetura thaj šaipen te kerenpe institucije pala e čhavre save kerde varesavo bangipe thaj specialno:
   a) te šuvelpe an zakono sode/gatji berša minimum šaj avel e čhavre savo tradelpe po krisi.
   b) kana si pala godo šaipen thaj kana trubul e došale čhavrenca/save kerde o bangipe či trubul te kerelpe krisipe, numaj te e manušikane čačipena thaj e zakonsko protekcija aven respektuime.
4. Sa e institucionalne šaipena sar konsultacije, jurisdikani protekcija, edukacija ka kerenpe vašodi te kerelpe lačho kontakto e čhavrenca an relacija pala lenge berša thaj an relacija pala godo so o čhavro kerda, sarsavo bangipe.

Kotor 41

Ni jekh kotor andar kadi konvencija či ka dukhavel aver kotora save majbut den šaipena te realizuinpe čhavrenge čačipena thaj save si:
   a) an themenge čačipena save dije piri signatura/somnatura telal kadi konvencija.
   b) an maškarthemutne čačipena save godo them realizuil.

DUJTO ŠERUTNO KOTOR

Kotor 42

E thema save dije piri signatura/somnatura telal kadi konvencija lije pe peste obligacija/ sama kaj ka pindžaren sa e manušen e čačipenca save si ramosarde an kadi konvencija.

Kotor 43

1. Te majlačhe dikhelpe sode e thema save dije piri signatura/somnatura telal kadi konvencija vazde opre e čhavrenge čačipena ka kerelpe jekh komiteto saveske funkcije ka aven:
2. E membrura an komiteto ka aven deš-ohto ekspertura saven si moralne kvalitetura thaj saven si baro dzanglipe andar godo so si skrinisardo an kadi konvencija. E komitetoske membrura ka alosaren e thema save dije piri signatura/somnatura

telal kadi konvencija pire manušendar (andar pire thema) thaj e membrura ka keren butji an piro anav. Ka lelpe sama te e membrura aven andar sa e themeske regionura thaj ka dikhelpe sama pala e šerutne čačipaske sistemura.

3. E membrura alosarenpe po garudino alosaripe katar o lil savo den e thema save dije piri signatura/somnatura telal kadi konvencija. Svako them šaj del jekh membro an komiteto.
4. Majangiune alosaripa vaš e komitetoske ka kerenpe šov čhon pala kadi konvencija (kana e konvencija majangiune oficijelno delpe avri) thaj pala godo e alosaripe ka kerenpe svako dujto berš. Minimum duj čhon angiai e alosaripa o generalno sekretari pala e Jekhethaneske nacije bičhaiel o lil e themenge save dije piri signatura/somnatura telal kadi konvencija thaj kamel lendar te den sugestija pala aver komitetoske membrura andar piro them. Pala godo o generalno sekretari kerel preparacija pala e lista e neve membrurenca thaj phenel vi savo them kas šuvda/thoda pe lista thaj majpalal bičhavel o lil e themenge save dije piri signatura/somnatura telal kadi konvencija.
5. E alosaripa kerenpe pe kidipa e themenge save dije piri signatura/somnatura telal kadi konvencija thaj o akharimasko manuš si o generalno sekretari vaš e jekhethaneske nacije. Pe kadala kidipa pe save trubun te aven minimum jekh trito kotor (sar kvorumo) katar e thema save si membrura an komiteto alosarenpe e manuša saven si majbut giasura thaj specialno maximum giasura katar e thema save lije than pe godo kidipe.
6. E komitetoske membrura alosarenpe pe štar-beršengo periodo. Kadale manuša šaj vi avrevar te alosarenpe te lengi nominacija kerel o them savo šuvda len/thoda len an komiteto. O mandato pala pandž membrura save si alosarde po angiuno alosaripe agorilpe pala duj berš. Pala angiune alosaripe anava pala e pandž manuša save či aven majbut membrura an komiteto ka alosarel o manuš savo si šerutno po kidipe.
7. Te varesavo komitetosko membro merel vol phenel kaj či kamel majbut te kerel butji vol vareso aver o them savo dija piri signatura/somnato telal kadi konvencija thaj savo alavarda les ka alavarel avere eksperto andar piro them džikaj trail o mandato te godo mukel o komiteto.
8. O komiteto korkore (pire vojako) kerel procedura pala e butji savi trubul te kerel.
9. O komiteto alosarel pire šerutne manušen pe duj-beršengo periodo.
10. Kidipa e komitetoske intjarenepe an Jekhethaneske-nacije vol pe aver thana kaj e membrura kamen. O komiteto kerel kidipa jekhvar ando berš. Kozom avelas lungo o kidipe ka vorbin/phenen maškar peste e komitetoske membrura thaj te si varesave pučimate vol nevipena o decizji ka anen e thema save dije piri signatura/somnatura telal kadi konvencija.
11. O generalno sekretari pala e Jekhethaneske nacije ka arakhel e manušen thaj ka kerel e kondicije te o komiteto efikasno kerel piri butji saveski baza si kadi konvencija.
12. O generalno kongreso del šaipen e komitetoske membruren te avel len pokinipe pala lengi butji (e love den e Jekhethaneske nacije) e kondicijenca save phenel o kongreso.

Kotor 44

1. E thema save dije piri signatura/somnatura telal kadi konvencija lije pe peste obligacija te e komitetoske perdal o sekretari vaš e Jekhethaneske nacije den oficijelno raporto pala e aktivitetura save kerde thaj save bararen e čačipena save si kate ramosarde/skrinisarde thaj vi pala o angiunipe savo si kerdino an relacija te realizuinpe kadala čačipena:
   a) an duj-beršengo periodo katar o djes kana si oficielno tradini avri kadi konvencija
   b) pala godo pe svako pandžto berš
2. E raportura save si kerdine an relacija pala kava kotor trubun te dikhen te si varesave pharipa, an direkcia te kerenpe/realizuinpe čačipena an kadi konvencija.O raporto trubul te intjarel an peste e informacije savenca o komiteto šaj kerel analiza thaj dikhel sar realizuinpe e kotora andar kadi konvencija an thema save dije piri signatura/somnatura telal kadi konvencija.
3. O them savo dija piri signatura/somnato telal kadi konvencija thaj savo bičhalda sa-kompletno raporto či trubul majbut an aver raportura save bičalenpe an relacija pala o paragrafo 1/b te skrinil/ramol inke jekhvar/vadži jekh drom bazične informacije.
4. O komiteto šaj rodel katar e thema save dije piri signatura/somnatura telal kadi konvencija varesave neve informacije save si an relacije te realizulipe kadi konvencija.
5. O komiteto del perdal o ekonomsko thaj o socialno koncilo vaš e general kongresoske raporto katar pire aktivitetura/butja.
6. E thema save dije piri signatura/somnatura telal kadi konvencija oficielno traden avri kadale raportura.

Kotor 45

Te kadi konvencija avel so maj efikasno thaj te zurarelpe e maškarthemutni ko-operacija pala e tema savi si ramosardi/skrinisardi an kadi konvencija:

a) E specialirizime agencije, UNICEF thaj aver organura katar e Jekhethaneske nacije si lengo delegato savo lel than pe kidipa kana vakarelpe pala e implermentacija kadale konvencijake. O komiteto šaj akharel specialirizime agencije, UNICEF thaj aver organura katar e Jekhethaneske nacije te bičhalel lenge raporto pala e implementacija kadale konvencijake pala e teme save si an fremo lenge butjako.
b) Te kade gindil o komiteto vov šaj bičhalel e special-agencijenge, UNICEF-ose, thaj avere organurenge katar e Jekhethaneske nacije raporto e themenge save dije piri signatura/somnatura telal kadi konvencija an savo dikhelpe trubulipe pala ažutipen, pala opservacije thaj sugestije.
c) O komiteto šaj del rekomodacijako lil e general kongresoske te kamel katar o general sekretari te an komitetosko anav organizuil edukacija pala e čhavrikane čačipena.
d) O komiteto šaj del sugestija thaj rekomodacijake lila save si bazirime pe informacije an relacija pala o kotor 44. thaj 45. kadale konvencijake. Kadale sugestije thaj rekomodacijake lila bičhalenpe e themenge save dije piri signatura telal kadi konvencija thaj saven si intereso thaj majpalal informišilpe vi o general-kongreso.

TRITO ŠERUTNO KOTOR

Kotor 46

Kadi konvencija si putardi thaj svako them šaj del piri signatura/somnato.

Kotor 47

Kadi konvencija si putardi pala e ratifikacija. Instrumentura pala o ratifikacija aven deponuime ka generalno sekretari vaš e Jekhthaneske nacije.

Kotor 48

Kadi konvencija ka avel putardi pala svako them savo majpalal kamel te del piri signatura/somnato thaj te avel membro. E instrumentura pala o avipe aven deponuime ka general-sekretari vaš e Jekhethaneske nacije.

Kotor 49

1. Kadi konvencija ka avel oficijelno trandato djes katar o djes sar avelas deponuime bišto ratifikaciono instrumento vol instrumentura pala o avipe ka general-sekretari vaš e Jekhethaneske nacije.
2. Pala svako them savo ratifikuil kadi konvencija vol lel than sar membro kana deponuilpe o bišto ratifikaciono instrumento vol instrunmeto pala o avipe e themesko e konvencija avel oficielno trandato djes katar o djes kana deponuisrdape ratifikaciono instrumento vol instrumento pala o avipe e themengo.

Kotor 50

1. Svako them savo dija piri signatura/somnato telal kadi konvencija šaj del varesavo amandmano thaj godo bičhalelpe e general-sekretareske vaš e Jekhethaneske nacije. O general-sekretari pala godo e neve amandmanura bičhalel e themenge save dije signatura/somnatura telal kadi konvencija (save si membrura) thaj o general-sekretari bičhavel jekh mangipasko lil godole themenge ande savo pučel len dal kamen te keren kidipe an relacija pala e neve amandmanura. Te trin čhon pala o datumo kana si bičhalde e amandmanura jekh-trito kotor themengo save si membrura phenen kaj kamen te keren kidipe atunči o general-sekretari kerel kidipe an Jekhethane-nacijengo anav. Sa e amandmanura save kamen e thema save ses po kidipe avena bičhalde general-kongresoske pe konfirmacija.
2. O amandmano savo si lindo an relacija pala o paragrafo 1. kadale kotoresko tradelpe oficijelno pe konfirmacija savo del o general-kongreso vaš e Jekhethaneske nacije thaj savo si akceptuime/lindo majbut katar duj-trite kotora e themengo.
3. Kana o amandmano avela oficielno dindo avri vov si obligacija pala e thema save dije signatura/somnato pala leste, averen themen si obligacija an relacija pala sa e kotora an kadi konvencija thaj pala e amandmanura save si akceptuime majanglal.

Kotor 51

1. O general-sekretari vaš e Jekhethaneske nacije akceptuil thaj bičhalel sa e themenge raporto pala e rezerva save varesave thema dije ande vrama kana si dindi e ratifikacija vol avipe varesave themesko.

BEST COPY AVAILABLE

2. Varesave rezerve save naj an relacija pala kadi konvencija či ka aven akceptuime.
3. E thema šaj cirden e rezerve kana kamen thaj godo cirdipasko ramosaripe trubun te bičhalen e general-sekretareske vaš e Jekhethaneske nacije savo majpalal trubul te informišil sa e themen save dije signatura/somnatura telal kadi konvencija. Kadale reazerve ka aven čačutne po djes kana o general-sekretari akceptuil godova lil.

Kotor 52

E thema save dije signatura/somnatura telal kadi konvencija šaj vi cirden les. Te kamen godo e general-sekretareske vaš e Jekhethaneske-nacije trubun te bičhalen cirdipasko lil. O cirdipasko lil avelas efektivno majpalal jekh berš katar o djes kana o general-sekretari vaš e Jekhetheneske nacije akceptuil godo lil.

Kotor 53

E general sekretares vaš e Jekhethaneske nacije si majbari zor thaj sa e thema phenen leske pire kamipe an relacija pala kadi konvencija.

Kotor 54

Originalo kadale konvencijako savo si nakhado pe Arabicko, Kineziko, Anglicko, Franciako, Rusicko thaj Španjoliko čhib si egalno autentično thaj sa e verzie si bičhalde po arakhipe e general-sekretareske vaš e Jekhethaneske nacije.

The *European Roma Rights Center* awards Legal Representation Grants, Scholarships and Internships for Romani students of law and public administration. *Applications should be sent to: Executive Director, ERRC, 1386 Budapest 62, P.O. Box 906/93, Hungary*

LEGAL REPRESENTATION GRANTS

The Legal Representation Grants Scheme of the *ERRC* provides funding to attorneys to cover expenses incurred in the course of litigation in concrete cases involving violation of the rights of Roma. Covered expenses can include attorneys' fees, attorneys' travel expenses, court costs and other expenditures essential to litigation. In awarding legal representation grants, the *ERRC* acknowledges that the interest of the client is paramount. The *ERRC* will not interfere with the attorney-client relationship, and will not disclose confidential information about the case provided to *ERRC* by the attorney, except for information which is already public (e.g. court decisions).

Eligibility

The recipient of a legal representation grant must be an attorney who has initiated or is initiating legal action on behalf of, or in defence of, Romani clients. Attorneys may apply for a legal representation grant directly or through an organisation with which they are affiliated. Grant funds may not be used to pay fees for work undertaken, or reimburse costs incurred, before an application is received by *ERRC*.

Application materials

Application materials must include, for each case:

1. A description in English of the facts and the legal status of the case, and a concise outline of the attorney's proposed course of action;
2. Any relevant court documents (i.e. complaint, indictment or other charging instrument, court judgment and sentence);
3. A document proving that the attorney applying for the grant has been authorised by the client to act on his or her behalf;
4. A budget of projected expenses with a detailed itemisation.

Criteria

In evaluating grant applications, the *ERRC* takes into consideration a number of factors, including:

a) whether the case raises an issue of public interest with respect to the protection of the rights of Roma;
b) whether the case constitutes a particularly grave violation of human rights;
c) the quality of legal representation to be afforded and the viability of the legal strategy proposed;
d) the potential for publicity about the case to serve a wider educational purpose.

SCHOLARSHIPS FOR ROMANI STUDENTS OF LAW OR PUBLIC ADMINISTRATION

The *European Roma Rights Center* offers scholarships to eligible Romani students of law or public administration. Scholarships normally cover tuition at accredited schools, books and fees, and miscellaneous expenses related to higher education. In exceptional cases, the *ERRC* will also cover accommodation. Criteria for selection include academic promise, financial need and a demonstrated intention of working in the field of human rights. Recipients of scholarships are required to submit a report at the end of each semester to the *ERRC* indicating their academic progress. Scholarships are awarded for one year. Successful recipients are not guaranteed scholarships for the following years of study; they must re-apply to the *ERRC*.

Application procedure

Each candidate for *ERRC* legal scholarship should submit the following:

1. A letter of interest;
2. A certificate from an accredited higher education institution: a) confirming that the applicant is enrolled for the current academic year; b) specifying the size of tuition and exam fees for the current academic year (if applicable); and c) the applicant's grades from the previous academic year (if applicable);
3. An itemised annual budget showing law school expenses (tuition, books, fees, etc.);
4. Name, title, and contact number/address of at least one person who can recommend the applicant. This may include secondary school teachers, university professors, local community leaders, or others.

At some point during the scholarship period, recipients of *ERRC* legal scholarships are expected to perform: a) human rights outreach work in Romani communities; or b) a summer human rights internship arranged by or in co-operation with the *ERRC*. Scholarship applications will be considered in two cycles, corresponding with the academic calendar.

INTERNSHIP PROGRAM

The *ERRC* offers internships to Romani persons interested in human rights research and/or human rights law. The primary goal of this program is to train Romani individuals in human rights work. There are two types of internships:

a) Internships at the *ERRC* in Budapest: Interns work on a specific project in the *ERRC* office supervised by *ERRC* staff. Since the working language at the *ERRC* is English, it is preferred that Budapest-based interns have a sufficient command of English;
b) Internships at partner NGOs arranged and sponsored by the *ERRC*.

The duration of the internships will normally be between one and three months.

A final written report will be expected from the intern upon completion of the internship.

STIPENDIA (POKIN) ANDA LEGALNO REPRESENTANCIA KATAR O *ERRC*

O *ERRC* pokinel avokaturenge ando gadzhikano kris, save keren zhuristichno buki pel konkretno kasurea le romenca ande shaipe vor mardipe. O *ERRC* pokinel advokaturenge, pokinel o drom kana advokato musaj te zhal ando aver than, taxa ando kriso, pokinela aver variso so si vazhno pi gadaja buki. Gadaja informacia kaj kam lel O *ERRC* katar o advokato ni kam zhal maj dur andi aver organizacija vor zhurnalurea. Shaj numa kana kam kamel o Rom thai o lesko advokato. Ame xataras, so del duma o Rom le advokatosa sile numa lengi traba.

Sao kasurea, shaj te pokinel o *ERRC*:

Dashtisaren te len stipendia/love anda Legalno Representacia numa o avokaturea kai pitarde or keren juridikani buki ande gadzhkane Kris save marenpe andai hakaja/chachipe Romenge. O avokatura dashtisaren te bishalen aplikacia (lil, kai mangen love/ stipendia) direktno kai o *ERRC*, vor jekh Asociacia dashtisarel te tradel anda-o avokaturengo anav. O *ERRC* nashtil te pokinel pala juristikani buki, kaj sas kerdi maj palal.

Dokumenturea kai trubul te tradea ando *ERRC*:

Andi aplikacia trubul te avel skrime pe savore kasurea:

1. Trubul te phenel ando lil pe anglikani shib, (1) so kerdilas nasul (2) kon kerel buki akanak pe gadava kasurea — prokuratura, kris, vor aver juridikani institucia? Kerd'as peski vorba o sherutno katar o gazhikano kris? Phenel amenge ando lil, so si akana le kasosa. O avokato trubul te phenel ando lil, so si leski strategia — sar ov kerela buki andi gadzhikani Kris;
2. Te shon/te traden juridikane dokumenturea katar o gadzhikano kris;
3. Jekh lil, katar o Rom, kai phenel shaj ov kamel Avokato, kai te kerel buki anda leste (autorizacia/ deklaracia/authorization);
4. Jekh budzheto kai te hramon/iskrin tumare pokinimata kai si trubulne po gadava kasurea.

I kriteria andai aplikacia:

Sar o *ERRC* kerel evaluacia ke trubul te del le advokatos love:

a) Te shai o juridiko kaso/proceso vazdel bare/vazhno/importantno problemi, po shaipe/chachipe le romengo;
b) Si o juridiko kaso/proceso vazhno/ importantno (jekh mis'al: mardipe, kera dine jag le gazhendar, mardipe le zhandarendar/policia, thaj aver nasul badimata);
c) Si lasho o advokato vor na? Sode lashi si e kvalifikacia? thaj si lashi leski strategia;
d) Sar xakaren, isi gadala kasurea lasho te iskrin vor te keren reklama andi gazeta vor ando zhurnalo?

I aplikacia trubul bishaldi po adreso:
Executive Director
European Roma Rights Center
1386 Budapest 62,
P.O. Box 906/93, Hungary

STIPENDIA ANDA ROMA KAI SHAI SILE STUDENTUREA ANDE AVOKATURENGI UNIVERSITACEA

O shai pokinel stipendia (scholarship) e studenturenge rom kai sikion andi Avokaturengi Universitacea (law school/juristichno shkola) thai andi publika administraciki Universitatea. I stipendia, sili pe jekh bersh thai shai, pokinelape studenturenge kai sikeon andi shkola, kai sila akreditacia, katar o Ministery le Edukatiako. O *ERRC* pokinel anda lila, shkolaki taxa, pokinel thai i anda aver bukea, kai si pashi-e po studenturenge sikimos. Numa andai specialna situacia, shai te pokinel i ker. El studenturea, trubun te skrin dui (2) lila. Pirvo/jekhto kai o dopash le bershesko; duito kai o shero le bershesko, kana shai gotina/ gata/ gotova i shkola. Ando lil trubul te iskrin sar sikyon andi shkola, mishto vor na mishto, taj trubul te iskrin, so sikyon. Te pokinel o *ERRC* o duito bersh, o studenturea musai te iskrin nevi aplikatia, thai te traden le ando *ERRC*.

Hramomaski prokedura karing o *ERRC*:

Fiesavo kandidato/studento trubul te tradel mai but lila kai o koordonatori le programosko:

1. Jekh lil andai intireso;
2. Jekh lil (dokumento) katar e shkola kai si sikyol o studento; aver lil kai sikavel e legaina akiditacea universitoski; aver kai sikavel sode love trubul te pokinel ando jekh bersh andai e shkola; aver lil katar o direktora shkolaki andai resultatura sikimaske;
3. Jekh budzheto kai kam sikavel sode love kerel taxa shkolaki, lila, tai aver shkolaki trubulmata po jekh bersh;
4. Trubul te iskrin o anav le manushesko, lesko adreso thai o lesko telefon, sao dashtil te iskril jekh rekomendacia pe gadva studento. Gadava manush shai t'avel profesor andai shkola, profesor andai universiteto, tai sherutno andai organizacia, vor aver manusha.

El studenturea trubul (musai) te keren praktika po shaipe (chachipe-human rights) ande romane gava/foro andi vreamia le milaeski, vor kai o *ERRC*, vor ando aver asociacia varikaj.

I aplikacia trubul bishaldi po adreso:
Human Rights Education Director
European Roma Rights Center
1386 Budapest 62,
P.O. Box 906/93, Hungary

PRAKTIKA KAI O *ERRC*

O *ERRC* kerel praktika e rromenge kai sile intereso ando rodipe thai zakonurengo manushengo shaipe. Gadaja programa sili individualno buki andel manushengi shaipe taj zakonurea. Si dui tipurea praktikaki:

a) Praktika andi *ERRC* andai Budapesta, kam od studento kerel buki le manushenca ando *ERRC*. I buki kam avel pi anglikani shib;
b) Or praktika ande aver kam organizacija kam pokinel *ERRC*. I praktika dasarel te avel mashkar o 1 shon thai zhi kai o 3 shona.

Kana muntuil pe e praktika, o studento musaj te iskril jekh lil ando *ERRC* andai leski buki so kerd'av andai e praktika.
I aplikacia trubul bishaldi po adreso:
Human Rights Education Director
European Roma Rights Center
1386 Budapest 62,
P.O. Box 906/93, Hungary

■ In June 2000, the *ERRC* awarded Mr Vladimír Ježek (Ostrava, Czech Republic) a grant to represent the wife of Mr Milan Lacko in legal proceedings. On May 17, 1998 Mr Lacko died following an assault by four teenage skinheads who left him lying on the road unconscious where first a lorry, then later a car ran over the body. The case involves the criminal prosecution of four skinheads for a racially motivated attack resulting in the death of a Romani man. The indictment, issued on August 14, 1998 by the Regional Court in Karviná, charged the perpetrators with attempted injury to health and disturbance of peace. According to the indictment, the death was not caused by beating and kicking, but by the lorry. The complaint seeks criminal convictions of the skinheads. The trial is in process.

■ In July 2000, the *ERRC* awarded Ms Nataša Owens of Zagreb, Croatia, a grant to represent Mr L.B. in legal proceedings. On May 27, 1993, Mr L.B. was taken into police custody in Grubišno Polje for questioning in connection with the theft of telephone cables from a public works site. During the questioning, police officers physically abused Mr L.B., and he sustained injuries. Officers also threatened that he and his family would be "moved on" if he made any complaint about their method of interrogation. He immediately went to the nearest medical facility, but the doctor refused to examine him, telling him to visit another doctor the following day. On May 28, 1993, he visited the second doctor, his injuries were documented and he received a medical statement. The complaint seeks civil damages for non-pecuniary injuries suffered while in police custody.

■ In July 2000, the *ERRC* awarded Mr Rostislav Sochor, (Ústí nad Labem, Czech Republic) a grant to represent Mr D.H. through all the stages of the criminal trial and investigation in legal proceedings. Mr D.H. (23) was accused of assaulting a public official according to Article 155/1(a) of the Czech Penal Code. Criminal charges were brought against Mr D.H. after he filed a complaint on April 12, 2000, stating that Mr H. and his girlfriend had suffered ill-treatment by police officers. Subsequently he was prevented from obtaining a medical protocol documenting injuries in the attack, because police reportedly removed the document from Mr D.H.'s physician.

CAMPAIGNING FOR ROMA RIGHTS:
July 13: Sent a letter to the Macedonian General Prosecutor Mr Stavre Džikov, expressing concern at an instance of police abuse of Roma in Štip, central Macedonia.
July 27: Sent a letter to Serbian Prime Minister Mirko Marjanović to express concern about abusive evictions of Roma by Serbian authorities which took place on June 8, 2000 in Belgrade.
August 15-16: Submitted a statement to the United Nations Committee on the Elimination of Racial Discrimination at its 57th Session, on the occasion of its Thematic Discussion on Roma.
August 28: Sent a letter to the "three wise persons" appointed by the President of the European Court of Human Rights to assess the Austrian government's record on the rights of minorities, refugees and immigrants, as well as the evolution of the political nature of the Freedom Party of Austria (FPÖ).
August 31: Held a press conference to clarify legal issues in relation with a Hungarian case which had achieved national prominence, Zámoly, Hungary.
September 18: Sent a letter of concern to Macedonian Interior Minister Dosta Dimovska to express concern at reports of recent incidents of police abuse of Roma in the Šuto Orizari municipality of the Macedonian capital Skopje.

CONFERENCES AND MEETINGS:
June 7-8: Attended a Congressional Hearing on Roma Rights, Washington, D.C., United States.
June 9: Held a discussion to clarify *ERRC* position on Romani flight issues with guests from the European Council on Refugees and Exiles, the *Open Society Institute*, the *Hungarian Helsinki Committee* and the *Documentation Centre for Human Rights*, Budapest, Hungary.
June 12: Participated in training "Roma Political Leadership Program", Blacevgrad, Bulgaria.
June 19: Testified before the Advisory Committee on the Framework Convention for the Protection of National Minorities of the Council of Europe on the status of minorities in Romania, Bucharest, Romania.
June 26-27: Attended the fourth meeting of the NGO resource group, set up by the Council of Europe's ECRI to assist in the preparations of the European Confesence against Racism and the preceding NGO Forum, to be held in Strasbourg in mid-October, Strasbourg, France.
July 5-7: Participated in the Regional Seminar of Experts for Central and Eastern European States entitled "The Protection of Minorities and other Vulnerable Groups and Strengthening Human Rights Capacity at the National Level," organised as part of the preparatory process of the World Conference against Racism, Warsaw, Poland.
July 21: Submitted documentary information concerning the situation of Roma in the candidate countries for European Union membership, for consideration by the European Commission in the preparation of the Fall 2000 progress reports.
July 24-28: Met with several Romani and human rights organisations to discuss cooperation in Russia, Moscow, Russia.
July 27-28: Attended as observer the fifth world congress of the International Romani Union, Prague, Czech Republic.
August 3: Held a lecture on NGOs and asylum issues with a special focus on Roma Rights issues at the Summer University of the Central European University, Budapest, Hungary.
August 15-16: Contributed with a written submission and an oral presentation to the thematic discussion on Roma, organised by the United Nations Committee on the Elimination of Racial Discrimination, Geneva, Switzerland.
August 28: Held an introductory lecture on Human Rights Philosophy at training workshop for staff, the *Open Society Institute*, Budapest, Hungary.
September 17-18: Participated in a steering committee meeting of NGOs from Eastern and Central Europe in preparation for the World Conference Against Racism in South Africa, Warsaw, Poland.
September 18-19: Travelled to Slovakia to meet with Slovak government and Parliamentary representatives, as well as with local NGOs, to discuss efforts to draft new anti-discrimination legislation and other governmental measures for addressing issues of discrimination against Roma.
September 20: Participated in the OSCE Conference on "Roma in the EU Candidate Countries", Vienna, Austria.

SUPPORT THE *ERRC*

The *European Roma Rights Center* is dependent upon the generosity of individual donors for its continued existence. If you believe the *ERRC* performs a service valuable to the public, please join in enabling its future with a contribution. Gifts of all sizes are welcome, bank transfers to the *ERRC* account are preferred. Please send your contribution to:

European Roma Rights Center
Budapest Bank Rt.
99P00402686
1054 Budapest
Báthory utca 1
Hungary

THE ROMA (Gypsies) remain to date the most deprived ethnic group of Europe. Almost everywhere, their fundamental rights are threatened. Disturbing cases of racist violence targeting Roma have occured in recent years. Discrimination against Roma in employment, education, health care, administrative and other services is common in many societies. Hate speech against Roma deepens the negative stereotypes which pervade European public opinion.

The *European Roma Rights Center* is an international public interest law organization which monitors the human rights situation of Roma and provides legal defence in cases of human rights abuse. The *ERRC* is governed by an international board of directors. Romani organizations and Romani individuals throughout Europe contribute time, money and expertise to the *ERRC*. The *ERRC* is a cooperating member of the *International Helsinki Federation for Human Rights* and has consultative status with the Council of Europe.

EUROPEAN ROMA RIGHTS CENTER

CO-CHAIRS OF THE BOARD
Éva Orsós (Hungary) ■ Lord Lester of Herne Hill QC (UK)

BOARD OF DIRECTORS
Isabel Fonseca (UK) ■ Gábor Halmai (Hungary) ■ Deborah Harding (USA) ■ Monika Horáková (Czech Republic) Khristo Kyuchukov (Bulgaria) ■ Rumyan Russinov (Bulgaria) ■ Joseph Schull (Canada) ■ Ina Zoon (Spain)

EXECUTIVE DIRECTOR
Dimitrina Petrova

STAFF
Azam Bayburdi (Executive assistant) ■ Péter Bukovics (Financial assistant) ■ Claude Cahn (Research and publications director) ■ Seveline Danova (Researcher) ■ Andi Dobrushi (Staff attorney) ■ Dóra Farkas (Receptionist) ■ István Fenyvesi (Publications programme co-ordinator) ■ Gloria Jean Garland (Legal director) Dániel Gether (Legal administrative assistant) ■ Iain Giles (Operations director) ■ Ivan Ivanov (Staff attorney) Anglés Kóczé (Human rights education director) ■ Sarolta Kozma (Accountant) ■ Nóra Kuntz (Information manager) ■ Gioia Maiellano (Staff attorney) ■ Viktória Mohácsi (Researcher) ■ Refika Mustafić (Human rights education assistant) ■ Tetjana Perić (Researcher/Monitors co-ordinator) ■ Branimir Plešo (Staff attorney) Veronika Laila Szente (Advocacy director)

LOCAL CORRESPONDENTS/PARALEGALS
Peter Antić (Yugoslavia) ■ Kathryn Carlisle (Italy) ■ Martin Demirovski (Macedonia) ■ Panayota Dimitras (Greece) ■ István Haller (Romania) ■ Kristina Magdolenová (Slovakia) ■ Markus Pape (Czech Republic) Emily Shaw (Kosovo)

SENIOR COUNSEL
James A. Goldston (USA)

LEGAL ADVISORY BOARD
Lord Lester of Herne Hill QC (UK) (Chair) ■ Luke Clements (UK) ■ Diego Luis Fernandez Jimenez (Spain) Gábor Halmai (Hungary) ■ Zdravka Kalaydjieva (Bulgaria) ■ Monica Macovei (Romania) Marek A. Nowicki (Poland) ■ Michael O'Flaherty (Ireland) ■ Peter Rodrigues (Netherlands) András Sajó (Hungary) ■ Theodore Shaw (USA) ■ Bryan Stevenson (USA) ■ Ina Zoon (Spain)

RESEARCH CONSULTANT
David Chirico (UK)

VOLUNTEERS
Catherine Allen (USA) ■ Szilvia Frank (Hungary) ■ Monique Nowicki (USA) ■ Jasmina Pleše (Yugoslavia) Hannah Slavik (Canada) ■ Jessica Slavik (Canada) ■ Éva Sobotka (Czech Republic) ■ Nidhi Trehan (USA)

RECENT INTERNS
Christina Angelova (Bulgaria) ■ Erzsébet Báder (Hungary) ■ Elise Finnigan (USA) ■ László Fórika (Hungary) Sarita Jašarova (Macedonia) ■ Emő Kállai (Hungary) ■ Anne Lucas (USA) ■ Serge Mezhburd (USA) Emil Mitrov (Bulgaria) ■ Albert Orgon (Hungary) ■ Lajos Puporka (Hungary) ■ Dragan Ristić (Yugoslavia) Dušan Ristić (Yugoslavia) ■ Márta Varga (Hungary) ■ Máté Vellvey (Hungary)

ADDRESS 1386 Budapest 62, P.O. Box 906/93, Hungary

TELEPHONE (36-1) 428-2351
FAX (36-1) 428-2356
E-MAIL errc@errc.org
INTERNET http://errc.org

The *ERRC* was founded by Mr Ferenc Kőszeg.

MAJOR SPONSORS OF THE ERRC Charles Stewart Mott Foundation ■ Ford Foundation ■ J.M. Kaplan Fund ■ Open Society Institute ■ Phare Democracy Programme of the European Union ■ Rockefeller Brothers Fund ■ Ruben and Elisabeth Rausing Trust

BEST COPY AVAILABLE